THE

NATIONAL MIRROR.

BEING A

SERIES OF ESSAYS

ON THE

MOST IMPORTANT CONCERNS;

BUT PARTICULARLY THOSE OF THE

EAST-INDIA COMPANY.

LONDON:

Printed for RICHARDSON and URQUHART, under the Royal Exchange; and JOHN ALMON, in Piccadilly.

M.DCC.LXXI.

[Price Two SHILLINGS.]

AC911.1771.N38

TO THE

PUBLIC.

THE following papers were first published separately in the Gazetteer, in the years 1768-9. Such of them as were entirely of a public nature are now reprinted together; and, for the subject, may be considered as complete. The very few which followed in the original publication, being rather on subjects not interesting now, would be thought undeserving of regard.

The matters of which these letters treat are undoubtedly of great consequence, being a very important branch of our national trade, and the preservation and administration of such acquired territories, as would be sufficient to constitute a great kingdom.

The

The Author of them, whoever he be, has taken much pains to expoſe the ignorance and guilt of ſome paſt Adminiſtrations, the venality and ſubſerviency of Parliaments, and the frauds and corruptions of Eaſt-India Directors, in the many powers of abuſe which have been granted on one ſide, and acquired on the other: inſomuch, that the conſtitution has been repeatedly violated; the rights of the people invaded, or ſacrificed; the intereſt of the kingdom miſtaken, or betrayed; and, in fine, that property of the ſtate injuriouſly bargained for, which probably may ſoon be endangered by the inabilities, or worſe, of thoſe who have acquired a power to miſmanage it. He likewiſe points out many imperfections in the conſtitution of the Company, and alſo various abuſes which have already been practiſed; (as well as others that rationally may be expected hereafter to be introduced) which, in their conſequences, have already produced, and naturally muſt continue to produce fatal effects to thoſe countries,

as

as they likewiſe may do to this kingdom, if adequate remedies be not timely diſcovered and applied.

Our national affairs were lately thought to be in ſo critical a ſituation, as greatly to affect public credit and the funds: and thoſe of the Company, in India at leaſt, are generally believed to be in ſuch at preſent; chiefly from the many acts of tyranny, rapine, oppreſſion, injuſtice, and violence that have of late been practiſed, as well with regard to many ſubjects of this kingdom, as to the miſerable and helpleſs natives and others. It is, therefore, high time for the proprietors of India Stock, and the people of this kingdom at large, but ſtill more particularly for the legiſlature, to think ſeriouſly of theſe matters.

But as things are now circumſtanced with us, particularly in regard to our national debt and taxes, as well as the ſtate of our trade and condition of our finances, the conquered territories in India ſhould be conſidered as objects peculiarly intereſting: to ſtock-holders, for the

the ſupport of dividends, and the value of their property, by ſecuring thoſe immenſe revenues from official depredations, groſs miſapplications, and the plunder of harpies, as well by diminutions of produce as from waſte; and to the general community, for having thoſe revenues ſo managed, as, that a far greater proportion than is at preſent, might be appropriated to the ſervice of the ſtate, for the eaſement of its burthens, by the diſcharge of public debts. In ſhort, if thoſe revenues are not honourably made the inſtruments of our national redemption, it is greatly to be feared, from the wicked uſes that may be made of them, they will prove fatal inſtruments of ruin both to the conſtitution and kingdom.

In a country of freedom, as this continues yet to be, the public intereſt and welfare are every man's concerns, becauſe he muſt in ſome degree partake in all the advantages or misfortunes of his country. On which conſiderations, theſe papers are now re-publiſhed, as they contain much information which may be uſeful

at

at this time, when there is the probability of a ſerious parliamentary enquiry into theſe very momentous matters; of the neceſſity of which, as the nation appears to be fully convinced, ſo we ſhould hope it will prove effectual, for ſatisfactorily anſwering every wiſe and good purpoſe that can be expected from the undertaking.

THE

NATIONAL MIRROR.

NUMBER I.

Nov. 15, 1768.

THE present ſtate of the nation, as it is delineated in a pamphlet publiſhed under that title, contains ſuch truths as cannot but alarm the apprehenſions, not only of thoſe who yet feel affection for their country, but of thoſe alſo who love themſelves alone. What adds to this formidable repreſentation of things is this circumſtance, that the difficulties and diſtreſſes under which we labour and are oppreſſed, appear to be irremediable by thoſe means which the author of the preceding pamphlet hath propoſed. But, that I may not be arraigned with having advanced this aſſertion on inſufficient reaſons, I ſhall tranſcribe the following paſſage from the publication above-mentioned, and attempt to evince the impracticability of effecting the ends of paying off the national debt, by the ſyſtem which the writer of it has laid down.

" The charge upon the ſinking fund for the ſupport of the peace-eſtabliſhment, being thus reduced to ſo ſmall a ſum as 348,000l. ſhould that fund continue to produce, as it has done upon the loweſt medium ſince the peace, there would remain to be taken

from it upwards of 1,800,000l. to be applied in discharge of the public debts. An able finance minister, with such a surplus in his hands, would not find it impracticable to induce the proprietors of the irredeemable four per cent. annuities, to subscribe their terms, and take an interest of three per cent. immediately.

"That operation would add 200,000l. to the surplus of the sinking fund; and when there were in it two millions, to be applied in discharge of debt, the difficulties of the nation might be said to be over.

"Every payment of two millions would reduce the charge for interest 600,000l. and taxes to that amount might be redeemed and taken off the people of Great Britain, in every year, while peace continued; and what nation in Europe would think of commencing war with her, when they saw her maintaining so formidable a peace-establishment, and with a clear surplus revenue of two millions, with which to augment her forces on the first hostile appearance, without imposing any new tax, or making any new loan.

"Every year of peace, if these measures were pursued, would bring with it a security for the continuance of the public tranquillity, as Great Britain would continually find fresh motives to preserve it, and other states would find it less safe to provoke her to a rupture with them."

As I have not entered upon the publication of this paper, through the least inclination of differing in opinion from the author of *The State of the Nation*, but for the sake of effecting those purposes which he so ardently desires, and to which his method must prove ineffectual, I shall make no objections to the first paragraph of the passage above transcribed, but consider things in that state in which he supposes that two millions a year, surplus, are actually running into the sinking fund; and whether, in that situation, the difficulties of the nation may be said to be over.

The national debt consists of more than 140,000,000l. the sinking fund arises from that surplus of the respective taxes which exceeds the interest of those sums of money for which they are mortgaged. Two millions per annum being the surplus of the sinking fund, will therefore discharge 140,000,000 l. in seventy years; but then, in order to preserve this surplus, all the taxes must be continued from which these two millions flow into that sinking fund; for, without such continuance, the paying off two millions, at the end of one year, will necessarily rescind some part of the resources which are to furnish a like two millions in the next; and thus the discharging the national debt will avert the very means by which it is proposed to be discharged. For example: On the three shillings per barrel duty on beer, imposed in the year 1761, there were borrowed twelve millions, the interest of which amounts to 488,250l. per annum, as it is stated in the pamphlet. This duty of three shillings per barrel bringing in on a medium 500,000l. there remains a surplus of 11,750 l. which annually runs into the sinking fund. Let us now suppose that the annual two millions be applied to the discharge of this tax on beer, the twelve millions will then be paid in six years; but at the same time the surplus which arises from that tax will gradually lessen, as the debt is discharged, and at the end of six years, when the whole twelve millions are paid, the surplus of the sinking fund will be reduced from two millions, to 1,988,250l. per annum. In this manner of lessening the debts, the power of paying them must diminish also, through the whole course of their being discharged. The sinking fund will therefore decrease with every payment of the taxes which supply it; thence it will result, though the surplus of every tax above the interest of the money for which it is engaged be not exactly similar to the preceding on beer, that the time of liquidating the whole debt will

be extended in proportion as the reſpective debts on thoſe particular duties are diſcharged, which conſtitute the exiſtence of the ſinking fund; and thus, inſtead of ſeventy years, it may be twice that number before the whole is paid off. For although the payment of every two millions will certainly reduce the charge for intereſt 60,000 l. it is evident that taxes to that amount cannot be taken off in every year while peace continues, becauſe the two millions ſo applied, at the ſame time that they take off ſo much of the debt, take off alſo ſo much of the tax as contributes, by its amount, to form the ſurplus of two millions.

Whoever therefore ſhould pay off the national debt by diſcharging the ſums of money which are impoſed on the reſpective objects, which, by their exceſs beyond the intereſt for which they are engaged, create the ſinking fund, will reſemble that gardener, who ſhould cut off the great bearing branches of his trees, and ſtill expect the ſmall ones to produce as much fruit as before; or a farmer, who, intending to water his meadows by an overflowing of a ſtream, ſhould previouſly avert the ſource from whence it is derived.

Hence it evidently appears, that the two millions ariſing in the manner, and to be applied in the method propoſed in *The State of the Nation*, can never be produced by the ſinking fund, for a longer term than one year, if thoſe taxes are redeemed which gave that fund its exiſtence. The national debt will therefore take up an immenſe time in being thus diſcharged, and *the difficulties of the nation cannot be ſaid to be over*, ſhould that plan of payment be adopted by the nation.

It may be juſtly ſaid, that there are other taxes to be paid off, which either do not produce the full intereſt of thoſe ſums of money which have been borrowed of them, or only that ſum which is ſufficient to the intereſt; and therefore that ſuch may be diſcharged without leſſening the ſurplus of the ſinking fund. This is, indeed, an incontrovertible truth:

by

by paying off the debts on thofe taxes which do not produce the intereft of that money for which they were mortgaged, arifes a removal of that tax, but the finking fund is as much increafed as that tax was inadequate to the difcharging the intereft for which it was engaged, becaufe the deficiency of that tax was made up from that fund.

Thus, by paying off the money borrowed on the duties of Gum Senega, at 12,000 l. and producing but 2000 l. and on window-lights, eftimated at 45,000 l. and producing but 2000 l. the nation will fave all that is paid by the finking fund, to compenfate for the deficiency of the intereft in the revenue arifing from thefe taxes; and where the tax produces the intereft, and no more, in that cafe, by the difcharging of the debt, the finking fund can lofe nothing, and the people will be eafed. But as there are no confiderable number of taxes which do not produce a fum exceeding the intereft which they are deftined to pay, the nation can receive no confpicuous alleviation of her impoft by thefe means, and when fuch duties are redeemed, the fame difficulty will recur in the difcharging of thofe taxes, the furplus of which runs into the finking fund, as hath been already related.

Befides the preceding methods, there is yet another, in which the furplus of two millions may be applied towards the difcharging of the national debt. For inftance, thofe two millions may be applied to purchafe two millions of ftock, the debt and tax ftill fubfifting; and thus the nation, purchafing from the individual ftockholders their refpective fums in the funds, becomes debtor to the nation. In this manner, if it be fuppofed that the 12,000,000 l. borrowed on the three fhillings per barrel duty on beer, be purchafed in fix years, and the tax ftill permitted to remain; the finking fund, inftead of being leffened 11,750 l. will be augmented 488,250 l. per annum. Thus, by proceeding in this manner, that is, by purchafing

chaſing the ſtock, and continuing the tax, the means of diſcharging the debt will be vaſtly facilitated, and the liquidation of the whole be not very remote. But as during the time of paying off the debt in this manner, the taxes which conſtitute the ſinking fund muſt be perpetuated, can the preſent oppreſſion of the manufactories, ariſing from thoſe taxes, be ſuſtained during ſo long a time? Will our trade not decline beyond the power of being renovated, before that payment be accompliſhed? And under ſuch circumſtances, will the ſinking fund itſelf produce the two millions, as it is ſuppoſed in *The State of the Nation?* Beſides theſe objections, will it be prudent to permit ſo immenſe a revenue as that of 4,993,144l. which is now paid as intereſt on the loans, together with 2,000,000l. ſurplus of the ſinking fund, and 348,000l. taken from that fund, and applied in the pamphlet to the current expences of the year, making in the whole not leſs than an annual income of 7,341,144l. to run into the hands of an adminiſtration, which, in future times, if our repreſentatives ſhould ever become ſo perfectly corrupt as to prefer their own intereſt to that of the nation, may be more than ſufficient to ſupplant, not only the authority of the King, but the rights, liberties, and privileges of the people? On this account, though this ſuggeſtion be, at preſent, within the reach of imagination only, the repreſentatives of the people will, moſt certainly, be extremely vigilant and averſe from entruſting any miniſtry with the reception and diſpoſition of ſo vaſt a ſum, which, it is not impoſſible, may be applied to purpoſes totally repugnant to its original deſtination.

Beſides the three preceding, there occurs not to my mind another method in which the two millions can be applied to the paying off the national debt; and neither of theſe ſeems adequate to the removing of the evils under which we ſuffer, nor the averting of the menaces with which we may be threatened. And yet,

yet, ſuch is the ſituation of things, the completion of either of theſe methods, could it be carried into execution, muſt be attended with an uninterrupted peace. Let me now examine if ſuch a ſtate of tranquillity is reaſonably to be expected, from what the author has laid down in his pamphlet, in theſe words, " and what nation in Europe would think of commencing war with her, when they ſaw her maintaining ſo formidable a peace-eſtabliſhment, and with a clear ſurplus revenue of two millions, with which to augment her forces on the firſt hoſtile appearance, without impoſing any new tax, or making any new loan."

From the Revolution in 1689, to the year 1762, incluſive, we have had four wars with France; is it therefore to be imagined that we ſhall remain in peace with that kingdom till the time that the national debt ſhall be diſcharged? I think no ſenſible man will conclude we ſhall. During theſe wars we have incurred a debt of 140,745,964l. and in the laſt war, which continued not full eight years, we ran in debt, of the preceding ſum, 75,087,945l. this ſum, on a medium, is annually 9,385,992 l. beſides thoſe taxes which were raiſed within the year.

Now, as I cannot diſcern any juſt reaſon to believe, that the next war will be conducted with more œconomy than the laſt, I do not ſee in what manner a clear revenue of two millions per annum can conſtitute ſo formidable a peace-eſtabliſhment; or that no nation in Europe would think of commencing hoſtilities with Great Britain; I am apprehenſive it will have a contrary effect.

That theſe two millions will not be ſufficient to ſupply the exigencies of the war, is evinced from the hiſtory of all thoſe taxes which have intervened ſince the Revolution. The ſupplies therefore which are to ſupport another war, muſt be raiſed by new loans, and the intereſt of the money borrowed muſt be paid either by the impoſition of new duties, the augment-

ing

ing the old, or from the ſurplus of the ſinking fund. But the author of *The Preſent State of the Nation* agrees, that little is to be expected from new impoſts, and the reaſon of it is evident; ninety-nine, in every hundred perſons, already ſpend the whole incomes which ariſe from their labour or property; if a new tax be laid on, or an old one encreaſed on any neceſſary of life, and no others can produce a ſufficient ſum, that neceſſary will require more money to be purchaſed than before. The conſumers muſt therefore purchaſe leſs of this, or of ſome other commodities already taxed, than before the laying on of this tax, becauſe they cannot ſpend more than their whole incomes, and that article ſo taxed will be dearer. If they buy the ſame quantity of the latter as before the new taxation, the ſum which is gained on that tax will be loſt in the others, of which they muſt buy leſs: or if they buy leſs of that which is taxed, the duty which is laid on it will not be productive of a greater ſum than before that tax was impoſed; becauſe what may be gained by the increaſe of the taxation, will be loſt in the diminution of the quantity which is ſold. Hence it is evident, that the preſent revenue is inſuſceptible of any conſiderable encreaſe.

The two millions ſurplus, in the ſinking fund, is therefore that reſource to which alone we muſt apply for the intereſt of new loans, whenever a war ſhall break out between this realm and any other potentate, and better ſucceſs we can hardly expect than we then had. Will then the ſupplies be raiſed at a ſmaller expence in a new war than they were in the laſt? Will the ſinking of the ſtocks on ſuch a rupture be leſs than during our late ſucceſſes? Will not the premiums for new loans therefore be equal to thoſe given in the laſt war, which were 33 per cent.? And, in conſequence of this proceeding, will not the ſurplus of two millions be totally exhauſted in finding intereſt for the loans, in a war of much leſs duration than

than that of eight years? It does not therefore appear to my apprehenſion, that the ſtate of affairs, ſo ſettled, as the author of *The State of the Nation* lays it down, can be a formidable object to any one potentate in Europe; and to the preceding reaſons I ſhall ſubjoin the ſucceeding, which ſtrengthen theſe arguments which I have already offered.

During the continuance of the late hoſtilities, the French, according to the poſition of the preceding author, *raiſed their ſupplies within the reſpective years*, they are therefore at preſent in as good a ſituation to recommence hoſtilities, as they were to undertake them before the laſt rupture. Whereas we are loaded with a debt of 75,087,943 l. and with the payment of an intereſt of 2,614,892 l. more than before that time. Such being the reſpective ſituation of the two kingdoms, in what view will the eſtabliſhment propoſed in the pamphlet be *ſo formidable, that no nation in Europe will think of commencing war with us?* Should we make treaties to that purpoſe! Lord have mercy upon *us*, and incline *their* hearts to keep *that* law. It ſeems therefore no inconſiderate concluſion to infer, that the evils, which are ſo juſtly deſcribed in *The State of the Nation*, are irremediable by the means which the author of it hath propoſed.

Notwithſtanding that this examination of the preceding part of *The State of the Nation* does certainly encreaſe the gloomineſs of the proſpect, there is yet no vaſt reaſon to tremble for the fate of Britain, or for her ſubjects to deſpond; though the antecedent method be inſufficient to the purpoſes required, there are others which are adequate to the requiſition. Theſe I ſhall lay before my countrymen, and their ſucceſs will prove inevitable, if the duty of their Repreſentatives be exerted with that vigour and integrity, which alone is equal to the importance of that charge to which they are delegated, and according to thoſe remedies which juſtice calls for, and the preſent op-

portunities hold forth. The moment is at hand, when we muſt either emerge from our diſtreſs and impotence, or be for ever drowned in the vaſt abyſs of taxation, debt, and ſubjection. It is therefore the indiſpenſible duty, not only of every Repreſentative of the people to exert himſelf to the accompliſhing of our preſervation, but of the conſtituents to addreſs their members, and to require their aſſiſtance to the perfecting of that happy purpoſe; and whoever is remiſs in this moſt eſſential of all human obligations, is an enemy to his country and himſelf: for this reaſon I have preſumed to hold up the mirror to your eyes, that you may truly behold, not only the perilous ſituation in which you ſtand, but the remedies by which your ſufferings may be alleviated, and your ancient power and felicity reſtored.

NUMBER II.

Nov. 19, 1768.

THE method and the means propoſed by the author of *The Preſent State of the Nation*, having been ſhewn, in the preceding number, to be both inapplicable and inadequate to the diſcharging of the public debt, and the reſtoring of the kingdom to her ancient power and reſpect among the nations, it is evident that ſome more effectual meaſures muſt be found to accompliſh thoſe purpoſes, or that a national bankruptcy, whatever be the ſucceſſes of our fleets and armies, muſt prove to be the inevitable event of a New War. Happily for the nation, there are ſtill reſources in the ſtate, by which many millions may be ſpeedily raiſed for the payment of the public debts, the realm be reſtored to her native importance, her commerce encouraged and enlarged, her ſubjects reinſtated

reinſtated in their juſt rights, liberties, and advantages; and the moſt deſerving of the community, all who toil and labour in want and penury, in order to ſupply eaſe, riches, and felicity to the reſt, be reſcued from the fangs of thoſe oppreſſors, under whom they have ſo long groaned, and from whom they have received ſo ſmall an alleviation of their miſeries.

Our poſſeſſions and our trade in Aſia are the firſt objects which ſhall be conſidered as capable of ſupplying immenſe reſources for the payment of the public debt; the revenues of the conquered lands, the extenſion of the Aſiatic commerce, are ſources from whence the nation may receive ſuch pecuniary advantages, as will infallibly revive her trade, reſtore her power, and alleviate the diſtreſſes of the people. From the product of this ſource, the legiſlature hath already applied four hundred thouſand pounds a year, for a ſhort duration, to the exigencies of ſtate. This ſum they either *had* the *right* of obliging the Eaſt India Company to contribute, or they *had not that right*; if the act of the legiſlature, which ſubjected them to that payment, be rather an arbitrary ſtretch of power than an exertion of juſt and conſtitutional authority, it may be deemed a hardſhip and violence on the proprietors of Eaſt India ſtock; but if it be conſentaneous with that power which conſtitutionally reſides in the legiſlature, and is indiviſible from an upright diſcharge of that obligation to which every repreſentative of the people is indiſpenſibly bound, it will be equally juſt to derive all thoſe advantages to the public, which are under the ſame predicament, and ſtill retained in the hands of the Eaſt India Company. For certain it is, that neither the rectitude nor injuſtice of obliging the Company to contribute the preceding ſum, can conſiſt in the quantity of money required for national ſervice, but in the means and meaſures, the obſervance or the violation of the rights and authority by

which the powers who obliged them, and the Company themſelves, are conſtitutionally inveſted.

There is no intention in the writer of theſe papers either to ſerve the purpoſes of Miniſters, or to aid the vigour of oppoſition, to cenſure the conduct of the paſt or preſent Directors, to recommend the Houſe Liſt, or that of the other Proprietors, or to invade the rights of private property, under the name of public good; it is to examine how far the powers, which the Eaſt India Company have aſſumed and exerciſed, are conſtitutionally impacted either by royal grants or acts of parliament, and how far that Company have obſerved or tranſgreſſed the rules which thoſe laws and charters have preſcribed them for their conduct.

And in this reſearch, if it ſhall be evinced, that the royal prerogative hath been arbitrarily extended to the injury of the ſtate; that the Commons may poſſibly have exceeded that authority with which they are entruſted by the people; that the territorial revenues of our conqueſts in Aſia are the indiſputable property of the nation, and not of individuals; that the Aſiatic commerce is ſuſceptible of vaſt improvements; that the excluſion of the ſubjects in general, by a pernicious monopoly, is both unwarrantable and oppreſſive; that the powers of raiſing armies, and of exerciſing military law, of declaring war and concluding peace, are ſuch grants as are not only ſubverſive of the rights and liberties of Engliſhmen, but repugnant alſo to the law of nations; that this Company, with all theſe indefenſible conceſſions of ſovereignty, have nevertheleſs exceeded the limits of the acts and charters which have been made in their favour, and will receive no injuſtice by the abrogation of them; that the meaſures to be purſued are both juſt and practicable; that millions muſt thence ariſe, by which the public debt may be ſuddenly diminiſhed, and totally diſcharged, at no great diſtance of time.:

I am

I am persuaded that object will be carried vigorously into execution, both by the legislature and the ministry. For it will hardly be contested that the legislative powers have an indisputable authority to soften the distresses, to promote the felicity, and to restore the honour and the powers of the nation by all justifiable measures; such conduct is a duty inseparable from the idea of representation by the Commons of the realm, and their constituents have an indubitable claim to that service, from those whom they have delegated to be the guardians of their rights.

The author of *The Present State of the Nation*, in his estimate of those revenues which are to supply the annual exigencies of state, and the surplus of the sinking fund, hath proposed but four hundred thousand pounds to be yearly derived from our territories in Asia; and this, notwithstanding he allows *the subjects in Asia can raise a surplus revenue of a milllion and a half.* As he hath not been pleased to assign his reasons either for limiting their annual payment to four hundred thousand pounds, or the income of the revenues to a million and half, I am not enabled to judge of the propriety of those motives which determined him to fix on these respective sums. And as I am credibly informed that Lord Clive, in his letters to the Directors, hath estimated the Dewane at two millions and a half, I shall adopt neither of the preceding sums, but consider the Asiatic revenues as productive of two millions, as they are laid down in the East India Examiner; and to this conclusion I am induced by the calculations which that writer hath published, and which have hitherto remained uncontroverted by those whose interest and whose inclinations would certainly have urged them to the attempt, had not the state of that estimate been impracticable to be refuted. Besides which, the sum assigned in the Examiner being the medium between those in *The Present State of the Nation*, and in Lord Clive's

letters,

letters, is a farther reafon for its being adopted in thefe papers.

If this fum be appropriated to the exigencies of national affairs, many are the millions which may be fpeedily borrowed on thofe revenues; the public debt will be vaftly leffened, and thofe taxes removed which at prefent opprefs the trade and commerce of the realm, and have reduced the nation to a prefent decrepitude and impotence. And if thofe duties are firft difcharged, which either do not produce the intereft of thofe fums which are borrowed on them, or fuch only as are equivalent to that intereft, the furplus of the finking fund will be enlarged by the payment of the former, and not diminifhed by that of the latter; and the people will be alleviated of their oppreffions by the difcharge of both: at the fame time that furplus will, by fuch an application of the money borrowed on the Afiatic revenues, be ftill proportionally continued, as the debts are paid off, and lend its aid in the difcharging of the taxes under which we labour.

Such a meafure, once carried into execution, would inevitably effect all the purpofes propofed in *The Prefent State of the Nation*, and *maintain fo formidable a peace-eftablifhment, that every year of peace will bring with it a fecurity for the public tranquillity, and other ftates will find it lefs fafe to provoke Great Britain to a rupture with them.*

Of this truth the French are fo perfectly convinced, that the apprehenfion of the parliament's refuming the rights of the whole community from the hands of a few individuals, and of their applying them to the prefervation of our trade, to the reftoration of our power, and the happinefs of the people, is the great object of their fears at prefent. They know that the fkill and courage of our land and naval forces, the number and equipment of our fleets and armies, the victories and acquifitions which may be won, are abfolutely dependent on the

the pecuniary ſupplies which the nation can furniſh; they are acquainted with our exhauſted ſtate, and are convinced, that if the adequate reſources which may be juſtly derived from our lands and commerce in Aſia, are not appropriated to the annihilating the evils which oppreſs us, that the icy and benumbing hand of national poverty muſt freeze the native powers of the Britiſh race, and reduce them to impotence and the ſubjection of a Gallic maſter. To the accompliſhing this purpoſe, our enemies will aſſiduouſly exert themſelves, and ſpread the inſidious influence of money, wherever it can promiſe to prove productive of *their deſires* and of *our ruin*; and a more diſcriminating criterion of friend and foe to their native land cannot be exhibited by the ſubjects of this realm, than the manner in which they may conduct themſelves on this important occaſion; for what man can believe, that he who oppoſes the ſalvation of his country by theſe means, is uncorrupt with Gallican or other gold.

Nor is this the only danger to which we muſt be expoſed, ſhould the reſources of Aſia be unapplied to national ſervice, and be ſtill permitted to remain in the hands of a monopolizing Company; though we ſhould not become the prey of France, we muſt inevitably be reduced to be the ſlaves of a ſmall number of our fellow-ſubjects. The power of money is as compulſive as that of arms; and when judiciouſly applied, as certainly effects the purpoſes of conqueſt and enſlavement. If two millions ſterling be permitted annually to run into the hands of twenty-four men, who are called Directors, will it not prove a power ſuperior to every reſiſtance from patriotiſm and virtue in a majority of thoſe who may hereafter ſuperintend the affairs of legiſlation and the ſtate? Will not then theſe twenty-four ſubjects become a deſpotic oligarchy, too powerful to be reſiſted, and abſolute maſters of the King, the Kingdom, and the People? The prevention of ſuch events is impracticable,

ticable, but by refuming the rights of the nation, and appropriating them to the fervice of the public.

It is the prefent mode diligently to fpread among the people, that the Directors have compromifed the Company's affairs with the Miniftry; and this affertion is promulged, with a view to damp the ardor and the application of the people to their Reprefentatives in Parliament. But the artifice of this defign is eafily difcerned; and I will venture to affert, that it is an illiberal and a fallacious report. The prefent adminiftration will not forego the glorious opportunity of becoming the faviours of their country, nor render themfelves the juft and univerfal execration of the prefent, and of all fucceeding ages, for the fake of private views, and interefted confiderations: they deem the fettlement of this affair to be a negotiation which appertains to the legiflature; and are convinced that the power of the realm, the happinefs of the people, and even the exiftence of liberty and the conftitution, depend on the execution of it, with juftice to the Company, and utility to the nation. For fhould this aufpicious opportunity be neglected, a national bankruptcy muft inevitably enfue another declaration of war, and that general concuffion will, like an earthquake, fhake the foundations both of public and of private property and credit; it will bring the refpective fabrics headlong to the ground, and fpread an univerfal devaftation through the realm. Such calamities have conftantly let loofe the multitude to participate in the fpoils of their oppreffors. Their neceffities will then compel them to feek their own relief, and to fuperfede all deference to that clamour which may be raifed againft the invafion of private property. The calls of nature will. defpife the inftitutes of men, and when there are no vifible means of extricating themfelves from their prefent calamities, but by fuch violence, the threats, the fentences, and even the execution of the laws, muft lofe their terror.

To

To beings in ſuch a ſituation, the extinction of their ſenſations by death is an object of conſolation, and even a ſecondary encouragement for their relieving their inſtant and preſſing neceſſities, by ſeizing the poſſeſſions and properties of the opulent; and thus, at leaſt, arrive at the end of their miſeries, by offending the laws, to which they cannot attain by the obſervation of them.

That the legiſlative powers may prevent ſuch anarchy, rapine, and ſubverſion of all order and good government, is certainly the ardent wiſh of every honeſt citizen. In order, therefore, to preclude ſuch deſtructive events, I ſhall in the ſubſequent papers proceed to examine the ſubjects, which are propoſed in this which lies before you.

NUMBER III.

Nov. 22, 1768.

THOUGH the commerce and territorial revenues which the kingdom has acquired in Aſia, are not the ſole reſources from which many millions may be ſuddenly raiſed and expeditiouſly applied to the diminution of the public debt, yet, as it is the principal ſpring from whence theſe ſums muſt be derived which are to accompliſh that deſirable and neceſſary end, on this account it deſerves and claims the firſt and moſt particular attention of the nation and the legiſlature. In order therefore to juſtify the meaſures which will be propoſed in the ſubſequent papers, I ſhall now conſider the charters which have been granted to the Eaſt India Company by the Crown, and examine how far they are con-

ſiſtent with, or repugnant to the due authority of the Prerogative Royal, and the rights, privileges, and liberties of the people of England.

As a private and circumſtantial detail of the Eaſt India Company, from its origin to the preſent time, muſt prove both prolix and unneceſſary, I ſhall take no notice of thoſe charters granted to them antecedent to the reign of Charles the Second; except that the firſt obtained from Elizabeth was given with the proviſo of being revoked, on two years notice given under the Privy Seal.

During the Civil Wars, in the reign of Charles the Firſt, all tranſactions, relative to this affair, were held in ſuſpenſe; but peace, and the Stuarts being reſtored, a new charter was granted to this Aſiatic Company by Charles the Second, in the 13th year of his reign; and another in the ſucceeding reign of James the Second, confirming the former, and adding to it ſome New Rights and Privileges. Theſe I ſhall conſider together, to avoid prolixity.

By theſe charters the Company was made a body corporate and politic, in deed and perpetual ſucceſſion, under the ſtyle of *The Company of Merchants of London trading to the Eaſt Indies*, and the chief direction of their affairs was committed to a Governor and twenty-four members, to be annually elected by the proprietors in that commerce.

By theſe charters they were granted the excluſive right of trading by ſea to all ports and parts of Africa, Aſia, and America, from the Cape of Good Hope eaſtward, to the Streights of Magellan; and to exerciſe and carry on that trade, in that manner which the Company ſhould think fit, in all provinces, lands, and dominions, excepting ſuch as were actually and lawfully in the poſſeſſion of Chriſtian princes in amity with England, and who would not permit ſuch trade.

Notwith-

Notwithſtanding this right of trading was ſo extenſively granted reſpecting the parts of the globe, the number of veſſels was circumſcribed to ſix good ſhips and ſix pinnaces; and no ſubject of England was permitted to trade within the preceding limits, without a licence firſt obtained from this Eaſt India Company; and whoever ſhould tranſgreſs that interdict, both the goods, merchandize, and whatever elſe ſhould be brought into the dominions of England, or which the Company might find and ſeize, in any other dominions to which they had the grants of trading, together with the ſhips on board which they were found, were forfeited, one half to the Crown, and the other to the Company; the offenders were to be impriſoned at the King's will, and not releaſed till they had given bonds of 1000 l. each, at leaſt, to the Company, not to trade to thoſe parts interdicted in the charters.

To this privilege of trading by licence from the Company, merchant ſtrangers were equally permitted with the ſubjects of the Crown; and the Kings bound themſelves not to grant permiſſion of trading to thoſe parts to any other perſons during the exiſtence of thoſe charters.

Such were the particular privileges, among many others, which were granted to the Eaſt India Company, reſpecting their rights of trading, and by which all other ſubjects of the realm were precluded from that commerce. But as charters, however coercive they may be expreſſed, cannot execute themſelves, nor prove ſufficiently reſtrictive againſt the luſt of acquiring pecuniary advantages, where there are not other more active and compulſive powers, theſe were enforced by all thoſe precautions which could operate to that effect, both on the minds and actions of all thoſe who might deſire to interfere in the Aſiatic commerce.

To this intent there was granted not only the right of adminiſtering oaths of fidelity to the Company by it, but that alſo of forming ſuch oaths to be taken both in England and Aſia, by all who were engaged in their ſervice, as the Governor and Company ſhall deviſe, direct, or appoint; and to examine on oath, all factors, maſters, and others employed in their ſervice, in order to diſcover abuſes and injuries done to the Company.

But as oaths, like charters, were deemed to be but feeble guarantees againſt the deſire of acquiring riches, there were added to theſe oaths ſuch powers as might more prevalently compel mankind to obey the preceding injunctions, and more effectually ſecure the preceding rights and privileges to the Company; and to the effecting that purport, they were granted alſo the power of making laws, conſtitutions, orders, &c. as the Company ſhould think neceſſary and convenient for the government of the factors, ſervants, and all others employed in their voyages and trade, and to revoke and alter them at will. And in order to enforce the obſervation of ſuch laws, they were granted alſo the privilege of impoſing and ordaining ſuch pains, penalties, and puniſhments, by impriſonment of body, by fines and amerciaments, or by all theſe, upon all ſuch offenders againſt ſuch laws; and theſe fines were to be applied for the uſe of the Company, without impediment from the Crown.

Such being the legiſlative powers granted by charter, the executive alſo were depoſited in the ſame hands: they held the privilege alſo of appointing and eſtabliſhing governors, councils, and other officers, in Aſia, with power to judge all perſons belonging to the Company, or who might live under them, in all cauſes civil and commercial; to erect Courts and nominate Judges, to hear all cauſes of forfeitures, and ſeizures of ſhips and goods, and all matters of that nature. But as the execution of the laws, which even they

they themſelves ſhould inſtitute, muſt neceſſarily be attended with ſome ſmall delay in the operation, they were benignantly indulged with, and humanely accepted a more ſummary method of proceeding; the right of ſeizing all ſuch Engliſhmen, and other ſubjects in the Eaſt Indies, who ſhould ſail in any Engliſh or Indian ſhips, inhabit theſe parts without permiſſion or licence from the Company, or even contemn or diſobey their orders; and every perſon or ſubject, employed by the Company in India, was liable to ſuffer puniſhment for any offence, as the Preſidents and Councils in Aſia ſhould think fit, and the offence require; and if they appealed from their judgments, they were to be taken into cuſtody, and brought priſoners to England, to the Governor and Company, and there to receive puniſhment as the caſe required, and the law allowed.

Such being the excluſive right of trading, the adminiſtering and making oaths, the laws, and ordinances, the penalties and puniſhments of offenders granted to theſe Aſiatic maſters, they were ſtill unſatisfied with ſuch enormous conceſſions. There was therefore ſuperadded to the commercial and civil powers, thoſe alſo which can be carried into execution by military force. On this account, the forts, fortifications, places, plantations, &c. already poſſeſſed, were immediately ſurrendered to the Company, and from that time to remain under the power and command of the Governor and Company; and they had the privilege of building caſtles and other places of ſtrength, whenever they ſhould extend their trade. But as fortifications are unavailable without forces, they had the grants of raiſing troops among their own countrymen in England, and of tranſporting them to their places in Aſia, together with ammunition and other ſtores requiſite for the ſuſtaining a military eſtabliſhment, and of appointing the officers who were to command them.

This

This power of raiſing a land army being thought ſtill inadequate to the accompliſhing of their intentions, they were further granted the privilege of equipping ſhips of war, and of appointing Admirals and other ſea-officers, who were to ſerve under their direction. And that theſe troops and navies might not be confined to actions defenſive only, theſe gracious Kings granted their ſubjects of this Company the right of declaring war and concluding peace, under the Company's Seal, with all ſuch Princes as were not Chriſtian; and to right or recompence themſelves on the goods, eſtates, or people, from whom the Company might receive interruption or wrong to their trade. And laſtly, their ſoldiers and ſailors were ſubjected to the deſpotic mandates of military law for any miſdemeanors they might commit, and to ſuch fines for breach of orders, as the Company ſhould think fit to impoſe.

Beſides the preceding circumſtances, they were obliged to import as much bullion as they exported, and had the liberty of coining money in the Mint of London, not exceeding 50,000 l. for one voyage; and in Aſia as much as they pleaſed, for the conveniency of trade and other exigencies of the Company's affairs.

Such were the more than regal rights of the Crown of England, which the two Kings antecedently named have granted to an oligarchy of their ſubjects; with this proviſo indeed, that their charters were revokable on three years notice, under the Privy Seal or Sign Manual of the King. But is there a perſon entitled to the poſſeſſion of common ſenſe, who, on reviewing the above grants, will heſitate to acknowledge, that had the Company at that time poſſeſſed a revenue in Aſia of two millions a year, as they do at preſent, that in thoſe days of corruption (and I wiſh the preſent and the ſucceeding may be more replete with ſelf-denial and true patriotic virtue) they would have

bid

bid defiance to the King, his Council, and the legiſlature; and by the all-conquering powers of ſuch an immenſe ſum, would as certainly have aſcended to ſovereignty in this realm, as ever this kingdom hath been formerly ſubdued by Romans, Saxons, Danes, and Normans; for whoever commands the powerful forces of two millions of money, is as ſure of conquering all reſiſtance, as if he was the leader of two millions of men; and will ſecurely walk to empire without danger of defeat or riſque of bloodſhed. This conſideration ought to alarm not only the people but the Sovereign himſelf, if Liberty be dear to the former, and Royalty to the latter. For ſuch is the ſtate in which they ſtand at preſent, reſpecting the uſurping oligarchy of the Eaſt India Company, and the revenues which they have the hardineſs to retain from the public ſervice.

But as nothing is to be inſerted in theſe papers which is to remain unproved, according to the beſt abilities of the writer of them, he will, in that which is to follow the preſent, fairly ſtate the acknowledged and incidental rights of the Royal prerogative, and compare the grants in the preceding charters, with the juſt authority which that regal power conſtitutionally enjoys. It will be then diſcerned whether ſuch charters *be* or *be not* conſiſtent with that regal power, and the liberties of a free people; and whether the nation have a juſt claim on the lands and commerce of the Eaſt Indies, in order to ſave their country from impending perdition, and themſelves from approaching tyranny.

NUMBER

NUMBER IV.

Nov. 26, 1768.

IN the preceding paper, having laid before my readers, fome of thofe fingular and unprecedented grants which were made by the royal brothers of the Stuart race to the Eaft India Company, I fhall now enquire into thofe powers which are conftitutionally appertaining to the prerogative royal, what rights the people poffefs, both confidered as part of the legiflative authority, and as individual perfons, and what are the privileges which bodies corporate, like that of the Eaft India Company, can legally receive and exercife.

The King, by prerogative, has the executive power of government; of fending and receiving ambaffadors; of making treaties; of proclaiming war and peace; of iffuing reprifals, and of granting fafe conduct. He is general of the kingdom, and may raife fleets and armies; build forts, and confine his fubjects within the realm, or recall them from foreign parts. He is the fountain of juftice, and general confervator of the peace. He may erect courts, profecute offenders, pardon crimes, and iffue proclamations. He is the fource of honour, of office, and of privilege. He is the arbiter of domeftic, but not of foreign commerce; all lands which are conquered, or ceded to his fubjects, are taken and held in his name, and are his dominions; he can grant patents, charters, and incorporate focieties with powers of making bye-laws, and is entitled to oaths of allegiance from his fubjects; and laftly, as a Sovereign, he can do no wrong.

The rights of the people, confidered as part of the legiflative power, are to concur, by the intervention and affiftance of their reprefentatives, in making all laws

laws by which they are to be ruled; the expreſs letter of which laws, neither the King, nor his magiſtrates can either ſuſpend, diſpenſe with, alter, or abrogate one ſyllable. It is their peculiar right to raiſe the pecuniary ſupplies of the year, which are to pay the fleets and armies of the nation, and to furniſh the other exigencies of ſtate. And laſtly, the Houſe of Commons have an inquiſitorial authority of examining into the exerciſes of the prerogative royal, and of calling all ſuch miniſters and counſellors to account, to impeach and try them before the Houſe of Lords, by whom they may be puniſhed with fine, impriſonment, baniſhment, or death, according to the nature and degree of their tranſgreſſions: beſides the antecedent rights which the people poſſeſs in their aggregate and legiſlative ſtate, they enjoy others alſo as individual perſons. The firſt of which is the natural liberty of mankind, circumſcribed by human inſtitutes, for the good of ſociety. In conſequence of this, they have the abſolute rights of *perſonal ſecurity*, *perſonal liberty*, and of *private property*; they are therefore entitled to the enjoyment of *life*, *limb*, *body*, *health*, and *reputation*; they have the right of locomotion, or of paſſing from place to place, or from one part of the globe to the other, without illegal reſtraint or baniſhment; they can uſe and diſpoſe of their own lawful acquiſitions, without injury or illegal diminution; they have a right to the conſtitution and power of parliament, to the limitation of the King's prerogative, and to vindicate them when actually violated; to the regular adminiſtration of public juſtice, and trials by their peers; the right of petitioning for grievances, together with that of having and uſing arms for ſelf-defence.

Together with the preceding rights which are particularly ſpecified, every individual of the community has an equal claim to all privileges, liberties, and immunities, with every other of the ſame rank; circum-

ſtances which are eſſential to the exiſtence of a free ſtate, and inſeparable from the exerciſe and operation of a free people. In fact, all the ſubjects of this realm do conſtitutionally ſtand on the ſame common level of natural Liberty; and no power in this realm can legally diminiſh this equal right, either by reducing the number of thoſe privileges to which the whole community is juſtly entitled, or by imparting to men, or particular ſocieties of men, ſuch degrees of power and privilege, as ſhall, in fact, render the other ſubjects leſs free, or more ſubſervient to the purpoſes of others than the equal right of freedom can allow.

If theſe be not the innate rights and privileges of Engliſhmen, they are *not* a free people; and if they *be* a free people, no power in the ſtate, without arbitrary proceedings, can deprive them of their equal rights, or grant privileges and powers to one part of the ſubjects which reſcind the liberties of the other; for ſuch meaſures are incompatible with the rights to which all men are entitled by the laws of nature, and of which Engliſhmen are in poſſeſſion by the conſtitution of the government, by national compact and the laws of civil ſociety.

Such being the prerogatives of the crown and the rights of the people, I ſhall now conſider how far thoſe regal powers may be communicated to bodies corporate, and how far ſuch ſocieties are capable of receiving privileges, and of what nature they are, from the conceſſions of the Kings of England. The powers incident to all Corporations, are to maintain perpetual ſucceſſion, to act in their corporate capacity like an individual, to hold and purchaſe lands ſubject to the Statutes of Mortmain; to have a Common Seal; to make bye-laws which are binding on themſelves, unleſs contrary to law, and then they are void. This is included alſo by law, in the very act of incorporation; but no trading Company is allowed to make bye-laws, which may affect the King's prerogative, or the

the common profit of the people, under penalty of 40 l. unlefs they be approved by the Chancellor, Treafurer, and Chief Juftices, or the Juftices of Affize in their circuits; and even when fo approved, they are neverthelefs void, if contrary to law: thefe are the five powers which are infeparably incident to every Corporation *aggregate*; but of late the power of purchafing lands from any living granter, is greatly abridged by ftatutes; fo that at prefent corporations muft have licence from the King to purchafe, before they can exert that capacity which is vefted in them by common law; nor is even this licence, in all cafes, fufficient. Of thefe corporate bodies, the King is conftituted, by law, the Vifitor; and the law has appointed the place alfo wherein he fhall exercife this jurifdiction, which is the King's Bench; in this Court only all mifbehaviours of this kind of corporations are enquired into and redreffed, and all their controverfies decided.

Such then are the more diftinguifhed and effential prerogatives of the Crown, the exertion of which is open to the examination of the inquifitors of the ftate, the reprefentatives of the people in the Houfe of Commons.

Such are the conftitutional rights of the people, infeparable by any powers in the legiflature, whilft they remain a free people, and which neither the King nor their reprefentatives can juftly diminifh or abridge; and which the latter are obliged to defend and preferve.

And fuch are the privileges which Kings can grant to corporate focieties, and which fuch incorporated bodies can receive under the limitations of not being contradictory to the laws of the realm.

I fhall now examine the exertion of the prerogative royal, as it ftands in the Eaft India Charters, and then comparing the grants which they contain, with that regal power in the King, with the rights of the

 people,

people, and with the privileges which Corporations can receive, it will be evident whether the Sovereigns of England have obſerved the juſt limits of prerogative power, whether the people have been robbed of their indiſputable rights, and their repreſentatives have faithfully diſcharged the duty of that ſupreme delegation which conſtitutes and appoints them guardians of the public good, and of private right and liberty, by ſuffering ſuch charters to be firſt granted, and then to remain ſo long unaboliſhed; and laſtly, whether the Eaſt India Company can, conſtitutionally, receive and exerciſe ſuch powers as the Kings of England have preſumed to grant them. From a due conſideration of all theſe particulars, we may reaſonably hope to arrive to a true deciſion of this ſubject.

And indeed the whole merit of the cauſe might be ſafely reſted on this ſingle point, that as the privileges which are ſuſceptible of being granted to corporate bodies, by all the acts and operations of the prerogative royal, are thoſe which are abovementioned, that therefore the enormous privileges and powers which have been granted to the Eaſt India Company, are unconſtitutional and illegal; and that whatever has been thus obtained cannot be lawfully received nor exerciſed, but are, *ipſo facto*, void and unwarrantable. For certainly the King is incapable of conveying the power of exerting acts of ſovereignty to any man or body of men, in their name and under their ſeal and commiſſion; for this would be to impart the regal rights, which are incommunicable to ſubjects; nor can he grant the rights which are in common to all his people, to a few, whom he may peremptorily ſelect for that purpoſe; for this would be to make both ſovereigns and ſlaves of men, who are equally entitled to every national right, by birth and inheritance, with thoſe whom an arbitrary Prince may inſolently preſume to exalt or to enſlave to the obſervation of thoſe rights he himſelf, both by his Coronation

Coronation oath, and in return for that allegiance which is due to him, is as equally and as firmly bound, as his ſubjects are to defend him in all his prerogatives and ſovereignty.

Such being the true ſtate of the preceding ſubjects, I make no doubt but my readers will readily anticipate the concluſion which ought to be drawn from the more intimate examination of the preceding ſubjects; I ſhall therefore, at preſent, leave them to their own enquiries, in this moſt important concern to their eaſe, happineſs, freedom, and to the dignity of the Crown, the power and reſtitution of the ſtate, and the exiſtence of the conſtitution. By theſe means they will be prepared with more deliberate ſentiments, to judge of the rectitude or errors which may be found in the arguments which ſhall be delivered in the ſucceeding papers.

NUMBER V.

Nov. 29, 1768.

AS I have no doubt that my readers have by this time conſidered and compared the grants in the Eaſt India charters, with the conſtitutional prerogatives of the Crown, the rights of the people, and the privileges which bodies corporate are capable of legally receiving and carrying into execution, and from that compariſon are convinced of the deſpotiſm which thoſe Kings exerted, and the injuries which the nation ſuffered. I ſhall not enter into a logical train of deduction to prove, what they have already inferred from the preceding papers, that ſuch grants are ſubverſive of the liberties of Engliſhmen, and creative of a ſet of tyrants, who are even more arbitrary than thoſe who gave them being.

But

But as a full elucidation of this poſition cannot be improper in examining a ſubject ſo great in itſelf, and ſo intereſting to the whole community, I ſhall offer to my readers a kind of expoſition on theſe charters, by which the deſpotiſm exerted by the Crown, the violence committed on the people, and the impoſſibility that the Eaſt India Company can be lawfully inveſted with ſuch powers as the charters grant and they have exerciſed, may be intuitively diſcerned in this day's Mirror. By theſe means, like all other viſible objects, they will want no other argument to prove their exiſtence, than that of being ſeen, and no other animation nor aſſiſtance for their being aboliſhed, than that ancient ſpirit of Britons which hath ſo glorioſly defeated the arbitrary acts of former Kings, and the uſurpations of their tyrannous and oppreſſive fellow ſubjects; and by ſuch immortal and patriotic deeds reſtored thoſe rights, liberties, and privileges, which have been illegally invaded and ſubverted, to themſelves and their poſterity.

In this expoſition, I intend to preſerve, in ſome meaſure, the form of a charter, inſerting only ſuch illuſtrations of the particular grants as naturally ariſe from the ſubject itſelf; and theſe will, at the ſame time, ſerve as explanatory and practical obſervations on the prerogative royal, the people's rights, and the Company's privileges.

Charles and James the Second, *both* by the grace of God Kings of England, &c. to all to whom theſe preſents ſhall come, greeting: Whereas our truſty and well-beloved ſubjects, the Governor and Company of Merchants trading to the Eaſt Indies, have humbly beſought us to grant and confirm their former charters, with ſome alterations and amendments; we have therefore, out of our ſpecial grace, certain knowledge, and mere motion, and at the humble petition of the ſaid Governor and Company, granted, that they ſhall for ever be one body corporate and politic, in deed

and

and name, really and truly, for ever, &c. And we graciously grant to the said Company the right of trading by sea to all parts of Africa, Asia, and America, from the Cape of Good Hope, eastward, to the Streights of Magellan, exclusive of all our other loving subjects, 'who, by the laws of the land, and the 'constitution of the realm, are as justly intitled to 'the exercise of this trade, as we are to the Crown of 'England.' And we grant to the said Company the right of exercising this trade in the manner they shall think fit, in the provinces, lands, and dominions of all Sovereigns and nations which are included within the preceding limits; 'over whom and whose realms 'and inhabitants we have not the least right or authority, either by the law of nature or of nations.' Provided such Potentates and people be not Christian, nor in amity with Christian Princes, who will not permit the exercise of such trade. And we grant that no subject of England shall presume to trade within the preceding limits, without licence first obtained from the Company; and this 'We grant, notwith'standing that every subject has by inheritance and 'the constitution, the incontravertible right of ex'tending his commerce into whatever country he can 'find admittance, even without requiring any licence 'from Us his Sovereigns; and that we cannot give 'and grant to the said Company those privileges 'which we do not possess, and which if we did pos'sess, the Company could not receive as a body cor'porate.'

Nevertheless, we graciously grant to the said Company the right of seizing the goods, merchandize, and ships, and whatever else shall be brought into our dominions, or the dominions of any other prince or people, wherever they may trade within the preceding limits, one half to be forfeited to the Crown, the other to the Company; and to this intent 'We have 'suspended the laws of the land, rescinded the rights

'of

‘ of the ſubject, and granted them to thoſe who are ‘ incapable of lawfully exerciſing ſuch rights, which ‘ are in direct violation of the great Charter of Li- ‘ berties, which ought to be held ſacred by us and ‘ our poſterity, and to the protection of which every ‘ ſubject is equally entitled, and who, againſt procla- ‘ mations iſſued by ourſelves, to ſuch excluſive pur- ‘ poſes would find redreſs by the laws of England, ‘ which we can neither diſpenſe with, nor ſuſpend, but ‘ by acts of tyranny and oppreſſion.’

And we farther grant, out of our ſpecial grace, to the ſaid Eaſt India Company the right of ſeizing ſuch their fellow ſubjects ſo offending, and of impriſoning them at the King’s will, and that ſuch ſubjects ſo impriſoned, ſhall not be diſcharged, but on each of them giving a bond of 1000 l. to the ſaid Company, not to trade within the preceding limits; and ‘ this ‘ we grant, in full contradiction to Magna Charta, ‘ which gives the right of perſonal ſecurity, perſonal ‘ liberty, and private property, to every ſubject of ‘ the realm; and this right of ſeizing and impriſoning ‘ our ſubjects, we grant alſo to be exerciſed in the ‘ dominions of other Princes, who have an equal ‘ right to grant the ſame privileges to be exerciſed by ‘ their ſubjects in our realms as we have in theirs; ‘ and yet, for the doing which, without our conſent, ‘ as we have granted the ſaid Company to do, without ‘ that of ſuch Princes, we ſhould moſt certainly pu- ‘ niſh, as they would be then acting contrary to the ‘ law of nations, which we are reſolved to have ob- ‘ ſerved in our kingdoms, although we have granted ‘ to the ſaid Company the right of infracting them in ‘ all others, within the preceding limits, and which, ‘ nevertheleſs, ought to be obſerved, and held invio- ‘ late by all Sovereigns and all ſubjects.’

And as we have excluded all our loving ſubjects from trading by ſea to the parts above-mentioned, without licence from the Company, we grant alſo to

alien merchants, the right of trading with ſuch licence; ‘ neither of which we are legally authorized ‘ to grant without diſpenſing with the laws of the ‘ land, and ſuſpending the rights of our people.’

And for the farther encouragement of the ſaid Company, we grant them the right of making and adminiſtering what oaths they ſhall deviſe, direct, or appoint to be taken by their ſervants, whether civil or military, as oaths of allegiance to the ſaid Company, ‘ which power of conſtituting and appointing ‘ ſuch oaths can reſide in the legiſlative powers only; ‘ and which allegiance being due to Us alone, is un- ‘ transferable to any ſubject, and can neither be ‘ taken nor given by any of them, but in direct ſub- ‘ verſion of our own and the people's rights.’ Notwithſtanding which, we farther grant to the ſaid Company the right of putting all men in their ſervice to their oaths, in order to the diſcovering the offences which theſe men may have committed; ‘ and ‘ this we grant, though by the laws of the land, ‘ which we can neither alter nor abrogate, all our ‘ ſubjects are legally entitled to the refuſing ſuch oaths ‘ as tend to accuſe themſelves.’

And that nothing may be wanting, by which to ſhew our gracious intentions to all our loving ſubjects, we hereby grant to *twenty-five of them*, the Governor and Committees of the Eaſt-India Company, the right of making what laws, conſtitutions, and orders they ſhall think neceſſary and convenient for the government of their ſervants and factors, and all others employed in their voyages and trade, and to revoke and alter them at *will*; and for the enforcing ſuch laws, we grant the ſaid Company the right of impoſing and ordaining pains, penalties, and amerciaments, ſuch as impriſonment and pecuniary fines, on all thoſe who ſhall offend againſt the ſaid laws. ‘ And theſe ‘ privileges we grant, although by the conſtitution ‘ we have no right to make one law, and therefore

'cannot transfer that power to others, which we our- 'selves do not possess; and although the rights of 'personal liberty, security, and property, cannot be 'forfeited or lost by any of our subjects, nor fines 'nor other amerciaments imposed, but according to 'the due course of justice, by the verdict of twelve 'good and lawful men, their Peers, of the realm of 'England, and in defiance of the constitution and 'the rights of our subjects.'

And we ordain, that all such fines shall be applied solely to the use of the Company, without impediment from the Crown, 'in order that such fines may 'be an encouragement to the said Company to seize 'and imprison all our well-beloved subjects, who do 'or do not offend such laws; and a premium for 'the condemning the innocent as well as the guilty, 'for the sake of enriching the said Company; and 'we hereby bind ourselves not to interfere in these 'fines, notwithstanding that, by our coronation oath, 'we have sworn to protect the rights and liberties, 'and to do equal justice to all our loving subjects; 'and that the said subjects are justly entitled to this 'protection, in return for their sworn allegiance, and 'by the great charter of the realm, which is equally 'binding on us as on our people.'

NUMBER VI.

Dec. 3, 1768.

AND as we have granted to the East India Company the *legislative* power of making what laws they shall think necessary for their execrable purposes, we hereby grant them the *executive* also, with privilege of appointing and establishing Governors and Coun-

cils,

cils, and other officers, in Aſia, Africa, and America, *among people whoſe names we have never heard, and in places which are not yet diſcovered*; with powers to judge all perſons belonging to their Company, or who may live in the ſame places with them, in all cauſes Civil and Commercial, to erect Courts and nominate Judges, to hear and determine all cauſes of forfeitures and ſeizures of ſhips and goods, and of all the matters relative to that nature. 'And theſe 'rights we grant, that the unconſtitutional and arbi- 'trary laws which the ſaid Company may deviſe, 'may the more certainly be carried into execution, 'and our other beloved ſubjects be the more effec- 'tually precluded from the exerciſing thoſe rights, 'which we have no authority to reſcind, nor the 'Company to receive, in prejudice to our other 'people. And for the accompliſhing this intent, we 'have granted the power of executing thoſe laws to 'men whoſe welfare and whoſe ruin are abſolutely 'dependant on the momentary nod and deſpotic in- 'tention of the ſaid Eaſt India Company, and who, 'by the hopes of acquiring riches, and the dread of 'being diſmiſſed from their offices and poſts, are 'bound implicitly to obey the peremptory mandates 'of their new inhuman ſovereigns.'

And although we have no right to impart any legal authority to be exerciſed by one ſubject over another, but in our own name, and in our own dominions, 'Yet we nevertheleſs grant to the ſaid Company the 'right of exerciſing that power, not only on our 'own ſubjects, but even on thoſe of other Sovereigns, 'in the name of the ſaid Company; and in realms 'which in no ſenſe can appertain to our kingdoms. 'And we hereby graciouſly exclude all the Sovereigns 'and Powers in Aſia, Africa, and America, within 'the preceding limits, from the right of exerting 'their own ſovereignties, and the people from en- 'joying and exerciſing their own privileges, to both

'which they are juftly entitled, and by all which we 'are interdicted to make thefe grants.

'And we further grant, of our fpecial grace, and 'on the humble petition of the faid Company, the 'right of fufpending, by themfelves, and their fer- 'vants in India, all due courfe of law and juftice, 'and inftantly to feize all our fubjects, as well as 'their effects, who fhall be found in the exertion of 'the hereditary rights of all Englifhmen, on board 'the fhips of our other Englifh fubjects, or even on 'thofe of the Indian ftates. And thefe rights we 'grant to the faid Company, in defiance of Magna 'Charta, which exprefly declares, that all the ports 'of England fhall enjoy their antient liberties and 'rights of trading; and that no freeman fhall be 'feized, imprifoned, or deprived of his property, 'liberties, or rights, but by the laws of the land, 'and the judgment of his Peers; and in defiance 'alfo of the laws of God, of nature, and of nations, 'in direct violation of the legal fovereignty of other 'Princes, whofe fhips we have no authority to fearch 'or examine but in times of war. And we hereby 'declare, that all fuch our fubjects, who fhall pre- 'fume to exercife their lawful privileges, in difobe- 'dience and contempt of the arbitrary will of the 'Eaft India Company, fhall be deemed as rebels 'againft the fovereign power of the Governor and 'faid Company, and be punifhed in a fummary way, 'without due courfe of law. And if any fubjects, 'fo offending the illegal laws and unconftitutional 'ordinances of the faid Company, fhall have the 'impudence to appeal from the tyranny of the Go- 'vernors, Council, or Courts in Afia, to the laws 'of England, they fhall be brought prifoners on 'board the fhips of the faid Afiatic Oligarchy, and 'in irons, if the Company fhall fo think fit, to the 'Governor and Company in England, there to re- 'ceive fuch condign punifhment, as the atrocioufnefs

'of exerting their own rights, the impudence of dif-
'obeying the Company's commands, and the ille-
'gality of appealing to the laws of their country
'require.'

'And we grant, out of our fpecial Grace, and at 'the petition of the faid Company, not only a right 'exclufive of all our other fubjects, of trading within 'the preceding limits, but that of feizing and taking 'poffeffion, in their own names, of the lands and 'dominions of the Princes inhabiting three parts of 'the whole world, and to build forts and fortifica-'tions wherever they may extend their trade, in de-'fiance of all fuch fovereigns and people; and in 'order the more effectually to accomplifh thefe de-'figns, we grant the faid Company the privilege of 'raifing an army among our own fubjects in England, 'by inveigling, enfnaring, intoxicating, and kidnap-'ping our beloved fubjects, to confine them in the 'private prifons of the faid Company in England, 'to force them in the fecrefy of night on board their 'fhips, tranfport them to Afia, Africa, and America, 'there to fight their battles, and remain their flaves, 'during life; and to appoint fuch commanders and 'officers over them as they fhall think fit, having all 'firft taken an oath of allegiance to the faid Com-'pany, which cannot be legally required but by and 'to ourfelves alone, nor taken by our fubjects but in 'direct violation of that allegiance which is due to 'us their only fovereigns, according to the confti-'tution.'

And we further grant to the faid Afiatic Oligarchy, the like privilege of equipping naval as well as land forces, of appointing admirals and other officers to be under the fole and arbitrary direction of the faid Oligarchy.

And further, we grant the faid Company the right of levying money for the payment of thefe land and naval forces, 'notwithftanding the exprefs terms of

'the great charter of the English rights and liberties;
'that we shall not ourselves raise any money for the
'support of our military powers, but by and with
'the consent of parliament.'

To the preceding privilege, *which exceeds the limits of the sovereign power of England's Kings*, we grant also *the regal incommunicable power, but in our name*, of making war and peace, of sending ambassadors, and concluding treaties, in the name and under the common seal of the sovereign Company, 'by which 'we have given that seal an equal power with the 'great seal of England, and further erected the said 'Oligarchy into arbitrary power.'

Having in this manner, and in imitation of our Holy Father the Pope, granted on the humble petition of our beloved subjects, the East India Company, *who are all good Christians*, the rights, properties, and dominions of all princes and nations *who are Infidels*, we further, on their said petition, grant the privileges of righting and recompensing themselves against all such unchristian potentates and people who shall presume to interrupt the East India Company in the exercise of whatever trade they may please to carry on in the dominions of the said potentates and people; 'and to the accomplishing this intent, we most gra-'ciously grant the said Company the right of seizing, 'plundering, burning, and otherwise destroying the 'goods, effects, cities, lands, and all other the pro-'perties of the said princes and their subjects, to 'subdue, seize, dethrone, and put to death by force 'of arms, all Kings and people, who, in defence of 'themselves, their country, rights, privileges, and 'possessions, shall have the impudence to oppose the 'said East India Company in the exercise of all the 'inhuman privileges which they have petitioned to 'have given them, and we have graciously granted.

'And these rights and privileges we grant, not-'withstanding of our certain knowledge we are con-

'vinced,

'vinced, that the perpetrators of ſuch tranſactions, 'under the colour of our royal charters, in the realms 'of any European Prince, over which we have no leſs 'right than over thoſe of Aſia, would be deemed 'and treated as pirates and aſſaſſins, hanged in chains, 'and broken upon wheels, according to juſtice and 'the law of nations, and for which we moſt righte-'ouſly deſerve the execration, not only of the people 'ſo treated, but of all mankind. And we further 'grant to the petition of the ſaid Chriſtian Oligarchy, 'the rights of renouncing the laws of humanity, and 'exerciſing every act of perfidy, inſidiouſneſs, and 'cruelty, againſt all powers, and all nations in the 'ſaid limits of Aſia, Africa, and America, becauſe 'they are not Chriſtians, as we are; and that there 'may be the leaſt poſſible oppoſition to the tyrannic 'dictates and piratical intentions of the Eaſt India 'Company, from the feelings of humanity, the ſenſe 'of their own rights, as Engliſhmen, and of human 'nature as men, that mercy, compaſſion, juſtice, and 'all obligations both moral and religious, may, as 'much as in us lies, loſe their operation and effects 'on their hearts and conſciences, and not reſtrain 'them from thoſe acts of rapine, violence, and mur-'der, to which they may be commanded by the ſaid 'Oligarchy, we further grant to the ſaid ſovereign 'Company the right of exerciſing military law on 'all our beloved ſubjects, who may be enliſted in 'their piratic ſervice, that is, arbitrarily to fine, im-'priſon, and put to death, all ſuch who may prove 'diſobedient to their ſanguinary orders; and this we 'grant, notwithſtanding it is acknowledged to be 'illegal and tyrannic in ourſelves, during the times 'of war; and that whoever ſhall be inſtrumental to 'the death of any ſubject, by the exertion of ſuch 'military law, in times of peace, will be found guilty 'of murder by the ſtatutes of England.

'And that they may lavishly reward their servants 'and their slaves for the perpetrating such horrid 'and inhuman actions,' we complete their sovereignty by giving them the right of coining money in their mints of Asia *for the accomplishing that laudable purpose.*

'Lastly, to save appearances, and to impart to 'our people the belief of our having the welfare of 'our realms at heart, we have craftily reserved the 'right of revoking' the aforesaid charters, on three years notice, if they shall be found to be prejudicial to the public good, 'being convinced of certain 'knowledge, that the Company will be so enriched 'by their acts of trade, rapine, piracy, and murder, 'and that we ourselves, our ministers, and the House 'of Commons, shall become so professedly corrupt, 'profligate, venal, and abandoned, that the former 'will be enabled to purchase us and them, and that 'we shall be ready to sell the continuance of these 'grants, in spite of a few honest and patriotic men, 'who may expose our tyranny, attempt to defend 'their country's rights, attack the despotism of our 'Asiatic Oligarchy, and prove that the salvation of 'the kingdom can only be effected by the lawful de'struction of the East India Company.'

NUMBER VII.

Dec. 10. 1768.

SUCH were the unconstitutional and oppressive charters which were granted by the arbitrary exertion of the prerogative royal in the despotic reigns of Charles and James the Second, as they are laid down in the two papers immediately preceding the present. By men whose interest it is to prevent the persuasion of these

theſe truths from being credited by the injured people of England, the antecedent expoſition will undoubtedly be decried as rancorous and unjuſt, and publiſhed with the malevolent intention of inflaming the nation againſt the continuance of that Company, which they will confidently pronounce in no ſenſe to deſerve ſuch miſrepreſentation and calumny. In order therefore to obviate the effects which ſuch poſitive aſſertions may immediately produce on all who are not perfectly acquainted with the miſchief and inſidious deſigns which the propagators of them attempt to perpetrate, I intreat my readers to ſuſpend their concluſions on this ſubject, till I come to thoſe papers in which I ſhall attempt to prove, that every article of the grants, as explained in the expoſition, is not ſuch alone, as may be ſpeculatively inferred from the ſovereign and unlimited powers granted in the charters, but founded on the undeviating exerciſe and practice of the Eaſt India Company and their ſervants in Aſia; and if exemplifications of theſe facts be not amply adduced, in the continuation of theſe papers, beyond the power of refutation, let them condemn me for an incendiary, and an invader of the rights and privileges of men who are juſtly intitled to the enjoyment of them.

But if I ſucceed in my endeavours, and produce ſuch evidence of their unconſtitutional, arbitrary, illegal, and inhuman acts, as ought to thrill the blood of every human being with horror, and excite one univerſal deteſtation of the perpetrators, and convince the moſt obdurate heart of the truth of what has been declared to be granted in the preceding charters, will Engliſhmen, renowned for mercy to other nations, and for ſupporting their own lawful claims againſt tyrannic Kings, who have proved invaders of their antient rights, and plucked them from their thrones, remain inert and paſſive beneath the oligarchic yoke of Eaſt India Directors? Shall

the little ſtate of Athens, not equal to a ſingle county of this kingdom, be for ever reverenced and admired for the ſhaking off the deſpotiſm of thirty tyrants, and we, the people of Great Britain, whoſe dominions are more extenſive than any idea which an Athenian could conceive to be contained within the limits of the world, be domineered over and enſlaved by a contemptible oligarchy of twenty-four of our fellow ſubjects! It will not be! you are not yet ſo dead to all the calls of honour, right, privilege, yourſelves, and country; the hearts of Engliſh oak will feel, though yours ſhould prove inſenſible, and grieve, although they cannot utter their complaints to this flagrant degeneracy from their antient Lords, whom their former forces bore ſo frequently through ſtorms and tempeſts to conqueſt and glory. Animated with this prophetic perſuaſion, I ſhall faithfully proceed to the proof of what I have delivered. And in this place I deſire my readers to recollect the acts of the prerogative illegally extended, of the violation of the rights, liberties, privileges, and properties of Engliſhmen, and of the ſubverſion of the conſtitution, of which the Stuarts were juſtly accuſed, and for which James the Second was ſo righteouſly expelled from the ſovereignty of theſe realms, and which are to be found in the hiſtories of thoſe reigns, and then compare them with the enormous and tyrannic grants contained in the preceding charters of the Eaſt India Company, and which, at that time, formed not a ſingle article of the accuſations againſt that King. They will then be convinced that the deſpotiſm and iniquity of theſe grants do infinitely exceed all the extravagant and illegal deeds of prerogative which animated the nation to renounce their obedience to that Sovereign, and to chace him from the throne. And yet of theſe arbitrary enormities, hiſtorians to this day have taken no notice.

I am perfectly perſuaded that thoſe uſurping men, whoſe

whofe intereft it is to protract and to fuftain their own tyranny, to continue and to rivet the chains of your enflavement, will be active as the hungry tyger, to exert their utmoft arts and influence to the perpetuating of thofe grants by which *they* are to be enriched, and *their country* ruined. They will artfully and inceffantly infinuate and affirm, that the antecedent grants were the acts of royal prerogative, arbitrarily excited in the oppreffive reigns of the Stuart race, when that regal power was ill underftood and uncircumfcribed; but that, fince the happy days of the glorious Revolution, when Liberty, like the dove, defcended on the heads of the people of England, and all their privileges and immunities were renovated and confirmed by the Bill of Rights, and the acceffion of our great deliverer, King William, to the diadem of thefe dominions, all thefe evils are done away; but I truft that my countrymen will not be deluded by founds, but adhere to facts as they are recited. In order therefore to place that affair in its proper light, I will now proceed fuccinctly to relate the events and tranfactions which have intervened between our Kings and the Eaft India Company, fince that popular æra; and then the nation may decide what advantages they have acquired, refpecting that oligarchic tyranny, from that day to the prefent.

James being driven from the throne, and William and Mary having afcended that abdicated feat, the Eaft India Company ftill continued in the full exercife of thofe unconftitutional grants which had been impacted in the foregoing charters; but there is reafon to be convinced, from the Journals of the Houfe of Commons, that this continuation was not obtained without the corrupt influence of pecuniary application to the Miniftry *at leaft:* for even in the year 1688, the year of the Revolution, there is to be found in thofe records, a fum of 1284 l. carried to

the account of ſpecial ſervice for ſupporting the welfare of the Eaſt India Company; which account is annually continued in different ſums to the years 1693 and 1694 incluſive. At this time the new charters were granted by this royal pair of deliverers, confirming all the grants contained in thoſe which have been already laid before you: and for accompliſhing this event, more than 107,000 l. were diſtributed among the Miniſters then in being.

Thus the oppreſſion and tyranny of this oligarchy was ſtill permitted by prerogative to exiſt, and the means of obtaining that power more flagrant and ſcandalous than before: and in this place, to do juſtice to the memory of that man, who was certainly expelled with juſtice, and to ſoften the exclamations of tyrant and of deſpote againſt the dead, in things where it may be juſtly allowed, and for the doing which other Princes are equally criminal, it may truly be ſaid, that it was not his acts of arbitrary power which alone dethroned him: had he acquieſced with the toleration of plundering his ſubjects, which his Miniſters would have carried into execution, notwithſtanding his ſuſpending and diſpenſing with the laws, his religion, and endeavours for introducing popery, he would have deſcended from his throne to his grave in peace, and reſted among the other Kings, his predeceſſors, in Weſtminſter-Abbey. But the corruption of the former reign was too virulent and inveterate to admit a cure, and rational parſimony was deemed *at that time* the moſt unpardonable of regal crimes; that anti-miniſterial diſpoſition in the King therefore aſſiſted in his being dethroned, and exiled Miniſters in ſucceeding reigns have lawleſly enjoyed the exerciſe of that rapine, for which they longed in the former. This ſhall be evinced in the next paper, wherein I ſhall delineate this whole affair of the corrupt influence of obtaining thoſe charters in the reign of William and Mary.

NUMBER VIII.

Dec. 15, 1768.

JAMES being dethroned, William placed in his room, and the Bill of Rights legiſlatively eſtabliſhed to be the lawful inheritance of all Engliſhmen, the charters of the Eaſt India Company were deemed to exceed that power which the prerogative royal could conſtitutionally exerciſe; other merchants therefore, in open defiance of theſe grants, carried on a commerce with thoſe parts of the globe which were interdicted by the regal charters. Theſe contemners of the Company's excluſive rights were diſtinguiſhed by the name of Interlopers, and no ſmall conteſt aroſe between them and the Company, on the ſubject of trading to the dominions of Aſia.

But it muſt not be imagined that thoſe vigorous opponents of the prerogative power thus illegally exerted, had undertaken this defiance of the regal charters from the generous motives of reſtoring to *all* Engliſhmen their juſt rights and commercial privileges; theſe men were no leſs actuated by the ſordid incentives of avarice and gain, than the Company already eſtabliſhed. They contended only for participating in the profits of that trade, and enjoying all thoſe advantages which could be derived from the arbitrary power of Kings, illegally tranſmitted to their hands; and from the enſlavement of their fellow-ſubjects, who were to be employed in the acquiring immenſe riches for thoſe interlopers; and this will appear to be inconteſtably true in the ſubſequent paper.

During this contention, between men equally determined to convert the nation's rights and powers to their ſole benefit, each party aſſiduouſly endeavoured to ſupport themſelves and defeat their adverſaries,

and both were ardently engaged in preparing to apply to Parliament; the interlopers with a view to obtain a legiſlative eſtabliſhment of a new Company, and the old Company to obtain that confirmation to thoſe charters which they already poſſeſſed, or at leaſt to obtain a new grant of a charter from King William, which might impart more ſtrength and vigour to their conduct than they thought themſelves entitled to exerciſe after the Revolution.

And it will eternally happen in all revolutions which are not effected by conqueſt, whenever one motive of being weary of a ſovereign is his diſinclination to ſuffer the multitude of his people to be plundered by a few individuals; and the Prince, who ſucceeds him, neceſſarily falls into the hands of men who thirſt after power and riches, that as the latter was by them aſſiſted, he cannot, if he would, fully exert his inclinations to the prevention of ſuch corrupt practices, when he aſcends the throne. In this manner it happened after the accompliſhment of that laudable tranſaction by which James the Second was ſo juſtly driven from the dominion of theſe realms; for had William oppoſed the corrupt intentions of his miniſters, he would have inſtantly converted his moſt active adherents into his moſt virulent oppoſers. Corruption, like a flood, had now broken down the banks which formerly had contained it, and ſpread itſelf through all ranks of men; commiſſioners for hackney coaches, agents for the army, the Houſe of Commons, and the Privy Council, were all venally obedient to the mandates of thoſe who could beſt ſupply them with the wages of their iniquities.

In conſequence of this encouragement, the old Eaſt India Company begun to apply this prevalent artillery immediately after the Revolution; and in the years 1689 and 1694, the intermediate years till the end of 1694, 107,003l. were diſtributed among miniſters and members of parliament, by the old Company,

Company, in order to obtain either an act of parliament, or a charter of confirmation of their former grants; of the preceding sum, 87,400 l. were distributed among the glorious defenders of the rights, liberties, privileges, and independency of parliaments, in the year 1693, when the charter was granted on conditions therein mentioned; and 4075 l. when it was confirmed in the following year. In this manner, with pestiferous corruption added to the arbitrary exertion of illegal prerogative, the people of England were still royally interdicted from their commercial rights, and doomed to continue under the terror of military laws, despotically exercised by an illegal oligarchy, who, according to the constitution, are incapable of receiving such powers from any lawful authority in this realm of England.

Such was the open and extensive influence of bribery and corruption, in all departments, and in the House of Commons, in order to obtain the passing of such laws as the corrupters desired; that in the year 1695, Trevor the Speaker, and Hungerford, another member of that Honourable House, were expelled for having committed the most ignominious acts in receiving money for the passing of the Orphan's Bill, and the sacrificing their country's welfare to the idol of private interest.

At this time complaint being made to the House, that a member of it had received money for bringing in a Bill, it was thereupon ordered by that House, that the books of the East India Company should be inspected, and men were appointed for that purpose, in order to the laying their accounts before Parliament. In consequence of this examination, the preceding sum of 107,003 l. was found to have been given by the Governor and others, for special services not mentioned in their books. Such being the event of this research, it was then ordered, 'That Sir Thomas 'Cook, Governor of the East India Company, and

a Mem-

'a Member of Parliament, do give an account to 'the Houſe of Commons, in what manner 87,400l. 'of that money was diſtributed; and as he refuſed 'to comply with that order, he was ſent priſoner to 'the Tower.'

This being done, 'A Bill was paſſed to compel 'and to indemnify Sir Thomas Cook againſt all 'actions which might be brought againſt him for the 'diſcoveries which he ſhould make.' But when a clauſe was offered to be inſerted in the Bill, 'That 'in caſe the Commiſſioners of accounts ſhould, upon 'the diſcovery of Sir Thomas Cook, adjudge that 'any of the money received by him was paid to any 'members of either Houſe, to any Privy Counſellor, 'or other officer whatſoever, ſuch perſons ſhall be 'for ever incapacitated to ſerve in parliament, or 'hold any office under his Majeſty, and ſhall alſo 'ſuffer impriſonment. And the queſtion was put 'that the clauſe ſhould be read a ſecond time; it 'paſſed in the negative.'

The Honourable Gentlemen who had driven James from the throne for diſpenſing with the laws in an arbitrary and illegal manner, and who, in the Bill of Rights, had declared, *that parliaments ought to be free*, were of a different opinion, when it came to be propoſed, that all thoſe, who, through the influence of bribery and corruption in that houſe, had betrayed their ſacred truſt, and been purchaſed to the deſtruction of thoſe very rights, for the defence of which they had ſo lately expelled their Sovereign, as they aſſerted. For having taſted of the ſweets of bribery, they were reſolved to cheriſh that welcome gueſt, by which they foreſaw that they and their deſcendants ſhould acquire immenſe fortunes, and riſe to honours and to titles; and this circumſtance, were there no other to be found, is ſufficient to evince, that the parſimony of the public money, and the precluſion of corrupt influence among his miniſters, were

were not the leaſt cauſes of his being dethroned, among the many others for which he deſerved it; for though popery and ſlavery, and arbitrary power, liberty and property, were the terms which were given to the multitude, could men ſo profligately hardened as to ſcreen the moſt ignominious betrayers of their country from condign puniſhment, be truly animated by any ſentiment of patriotiſm, or even of common honeſty? They longed for the power of ſharing in the nation's ſpoils, they now poſſeſſed, and were reſolved to perpetuate it.

Cook, being indemnified by an act of parliament, confeſſed, with much mental reſervation, that 'of 'the preceding ſum, 10,000l. had been given to Mr. 'Tyſon, to be diſpoſed of, in order to have the charter confirmed with the addition of new regulations; 'that Mr. Tyſon delivered it to Sir Joſiah Child, 'who delivered it to King William, as a cuſtomary 'preſent, as the like had been done in the reign of 'Charles the Second, and in former reigns, which, 'by the books of the Company, may appear.'

Whether this does appear by thoſe books, I know not; but this I know, that the *impartial* continuator of Rapin's hiſtory, according to his accuſtomed adherence to *truth*, has ſaid that James obliged the Company to give him annually 10,000l. though the Journals of the Houſe of Commons relate it as it is above expreſſed. In this manner the glorious deliverer, who came to reſtore the rights, liberties, and privileges of Engliſhmen, defend their properties, and expel parliamentary corruption, received that ſum to confirm and to enlarge thoſe charters, which were the exertions of prerogative, more arbitrary and oppreſſive than all thoſe acts of which James the Second was ſo juſtly accuſed, and ſo deſervedly expelled.

Other ſums were entruſted with one Acton, 'which 'were given to thoſe who were to ſpeak to Members 'of Parliament, in order to obtain an Act of Par-

'liament in favour of the Company.' But Cook ſaid, 'he underſtood it went no further than the 'Houſe of Commons. Lord Colcheſter and the 'Marquis of Carmarthen, both Members of the 'Commons, ſhared very largely in this pecuniary 'corruption; a 1000 l. was given to one Fitzpatrick, 'who ſaid he had great intereſt with Lord Notting-'ham, and had no doubt of ſerving the Company, 'provided he had ſuch a ſum of money.' But Cook, who was certainly no infidel, 'believed that Fitz-'patrick kept the money;' and yet there was 'a 'promiſe of a larger ſum if the bill paſſed.'

Five hundred and forty-five pounds were paid to one 'Squire Bates, when the charter was ſettled; and Sir Bazil Firebrace had 30,000 l. and contracts to an immenſe amount with the Company, on the account of procuring a new charter, or an act of parliament; which ſums and contracts were diſtributed to ſeveral perſons.

Sir Edward Seymour was ſuppoſed to have a contract for ſalt-petre worth 10,000 l. If he had it not, others had; for ſuch appeared to have been made before the Houſe of Commons.

The Lord Preſident of the King's Council, the Duke of Leeds, was accuſed of having received five thouſand guineas on this account, and was impeached of high crimes and miſdemeanors by the Houſe of Commons. He denied the charge, and then ſent Monſ. Robarts, one of his ſervants, who had received the money, ſecretly into Holland; and as he was the only perſon who could have exculpated his Grace, and as he had ſent him away, it was univerſally believed that the Duke had been guilty of the imputation. The Miniſtry, however, *to do them juſtice*, iſſued a proclamation for the apprehending of Monſ. Robarts, *after they knew he was ſafely arrived in Holland.*

During

During theſe tranſactions, in order to give the appearance of ſatisfaction to an injured people, a bill paſſed for the impriſoning of Cook, Firebrace, Bates, and Craggs; the laſt of whom had been found guilty of egregiouſly defrauding the army in their cloathing. How long they remained in durance, I do not recollect, but Craggs came abroad to be very active and inſtrumental in the deſtruction which was occaſioned by the South-Sea ſcheme; and after having twice deſerved to be hanged in chains for robbing his country, died quietly in his bed, to the great encouragement of all thoſe ſtate thieves who have ſince followed his example.

Whilſt the Commons were preparing to bring the Duke of Leeds to his trial before his Peers, and to impeach Trevor alſo, his Majeſty King William moſt graciouſly paſſed an act of free pardon, and then prorogued the Parliament; and in that manner there was an end put to all enquiry into that ſcandalous tranſaction.

Such was the iſſue of that flagrant corruption; and I am firmly convinced it was not the laſt which an Eaſt-India Company have ſpread among the Members of ſome Parliaments which have ſince that time repreſented their country. In a very late Parliament there were more than probability that men, who had been choſen to defend their country's rights, were bought to ſupport the Company. Eſtates have riſen as ſuddenly as enchanted palaces, to men who poſſeſſed no other credible means of purchaſing them than what they may have acquired by ſuch practices. However, it is to be hoped that the preſent Parliament will enquire into the iniquities of the paſt; and do honour to themſelves, and juſtice to their country.

It is high time that the truth of paſt tranſactions ſhould nakedly appear, and all parties gloriouſly coincide to reſtore the honor, power, and proſperity of their country, and to emancipate themſelves and their

fellow-subjects from the oligarchic tyranny of their fellow-subjects; otherwise it is not impossible but they may be fatally and experimentally taught, that an annual sum of two millions will one day be productive of a revolution in this state, of a nature very different from that in 1688; and that an oligarchy of twenty-four Directors may become the tyrants of this realm and her dominions.

NUMBER IX.

Dec. 17, 1768.

FROM the paper preceding this, it is evident beyond disproof, that the East India Company obtained their first charter from King William, through the ignominious influence of bribery and corruption, widely spread among the Ministry and the House of Commons: and notwithstanding the clause inserted in that charter, of its being revocable on three years notice, and the discovery of those flagrant acts of profligacy which have been already related; neither the sign manual of the King, nor the impression of the Privy Seal was employed to that righteous purpose; such indulgence and strength had the practice of selling the people's rights obtained so shortly after the Revolution; in consequence of which, both justice to the injured nation, and chastisement to the thieves of the public, were *dispensed with and suspended.*

In fact, the inquisitorial power of the House of Commons, that most useful part of our constitution, which has been too long delayed, and too much neglected, had been rouzed in the bosoms of a few honest ministers, by the atrocious and open profligacy of members and their adherents; and the audaciousness

neſs of their corruption was ſo barefaced and egregious, that when the antecedent queſtion was brought into the Houſe, the importance and the iniquity of the tranſaction ſo much outweighed the numbers and the effrontery of the Miniſtry, that though they ſtill poſſeſſed the hardened reſolution of preſerving, by a negative vote, all thoſe who had voluntarily received the wages of iniquity, and betrayed their truſt; they were not ſo abſolutely impenetrable by every ſenſe of ſhame, as to preclude the bribery of the Eaſt India Company from being brought to open day-light and general execration. Such were the effects which were happily produced by a few vigilant and vigorous members of that Houſe on that notorious occaſion. And ſhall the people of England, at this time, want men who will ſtand forth to ſave themſelves and country, and to wreſt the inſtruments of arbitrary power from the hands of an unconſtitutional and uſurping oligarchy? Shall the nation, at this important hour, furniſh no ſuch patriots as the former, when the very exiſtence of the conſtitution, the power, the honour, and the happineſs of the kingdom, the rights, liberties, and privileges of the people are abſolutely dependant on the taking, for the nation's ſervice, the revenues of thoſe lands in Aſia, the poſſeſſion of which the Eaſt India Company have now the face to diſpute with their Sovereign and fellow-ſubjects?

That their pecuniary powers did ſupply them with advocates in the laſt Houſe of Commons, I will not poſitively aſſert; but as there are ſuſpicions well grounded on probable circumſtances, which indicate ſuch application and ſervice; in order to clear the ſuſpected who are innocent, and to fix the ſtigma of corruption on the guilty, let the books of that Company be now examined, as they were in the reign of King William. If this ſhould be denied, the nation will put their honeſt conſtructions on that negative;

if

if it be granted, and it be then evident that great ſums have been diſtributed in ſecret ſervice, the inquiſitorial power of a Houſe of Commons, exerted with integrity, can wring from the hearts of Directors and their ſervants, the names of thoſe perſons to whom theſe ſums have been given, and for what purpoſes. By this examination alſo, it will be evinced, whether they have exceeded the ſums of money to which their trade is limited by their charter; and many other deſirable and neceſſary diſcoveries may be made. But ſhould an enquiry into the Company's affairs be eluded by the concealment of theſe books which may reveal their tranſactions, there will then need no other evidence to pronounce the reaſon of it: for the tranſactions of juſt and upright men can want no ſubterfuge nor ſecreting from the national inqueſt; they juſtify themſelves by their own evidence, and impart an honour to all who have been concerned in them.

Though the charter of confirmation, and of other indulgent grants, was obtained by the Company in the honorable manner already related, the interlopers were by no means intimidated before the exploſion of the corrupt influence by which it was effected, from purſuing their commercial intereſts in the interdicted regions of the earth. They valued the prerogative royal of King William, thus exerted, no more than the Papal authority which had been exerted to a ſimilar purpoſe; and they boldly aſſerted that no King of England was empowered to grant ſuch indulgences in trade to one part of his ſubjects, at the excluſion of the other; and they inſiſted that ſuch grants in him were the more extraordinary, becauſe to his declaration, he came profeſſedly to reſtore thoſe rights and liberties which had been invaded in preceding reigns, and had been exalted to the ſovereignty of thoſe dominions on the conſtitutional conditions contained in Magna Charta; though they were expreſſed

in

in the Bill of Rights in ſuch flimſy and evaneſcent terms, as if they were, even at that time, not intended to be obſerved.

The Company vigorouſly oppoſed the Interlopers; and the latter, ſtung by the luſt of wealth, though inſenſible to the voice of univerſal Liberty, excited by the diſcovery of the Company's corrupting, and encouraged by the Miniſters being corrupted, hoped to acquire the means of being eſtabliſhed into a Company on a foundation more plauſible, in appearance, though equally arbitrary and deſtructive in its intention and effects, with the charter already granted.

At this time that baneful contagion of exceeding the annual ſupplies, by borrowing millions, on taxes to be laid for the payment of the intereſt of thoſe ſums, had infected the robuſt conſtitution of England, and which hath ſince diffuſed its gangrenous powers through the whole body of the ſtate, and reduced her to her preſent mortification and impotence. The Interlopers being well acquainted with the miniſterial want of money, for the ſupplies of the year, propoſed to the adminiſtration the lending two millions, in return for being legiſlatively eſtabliſhed into a Company: this was readily accepted by the Miniſtry; and notwithſtanding the oppoſition that was made to it in both Houſes of parliament by the old Company, an act was paſſed, authoriſing the King to grant a charter to the Interlopers; and this he did in the face of that excluſive charter which he had previouſly granted to the other Company, and for which he had received from them ten thouſand pounds.

It was now the mode for the miniſters to pronounce that the Crown had no prerogative-right of granting excluſive charters, and yet the charter which had been ſo granted to the Old Company ſtill remained in equal vigour as before; and thus there were two charters excluſive of each other, and both repugnant to the conſtitution, and ſubverſive of the rights

rights and liberties of the people. But inconſiſtencies and contradictions in national meaſures were the characteriſticks of thoſe times, and are not yet extirpated in the preſent. The people of England had dethroned King James, becauſe he was a Papiſt, and they did right; and they had crowned King William to ſupport the Proteſtant intereſt; and yet this Proteſtant King had, by this time, entered into an alliance with the Emperor and the Dutch, and undertaken a war, proteſting before God that his intentions were, never to conclude a peace with Lewis the Fourteenth, *till he had made reparation to the Holy See for whatever he had acted againſt it, and had annulled all thoſe infamous proceedings againſt Holy Father Innocent the Eleventh*; an admirable exemplification of attachment to the Proteſtant religion, by a Prince who had dethroned his father for being a Papiſt.

The New Eaſt India Company was thus eſtabliſhed in conſequence of an act of parliament, and becauſe the Interlopers would not lend their money on leſs than national ſecurity. Yet during this time, one popular clamour was, *No Popery*, *No Slavery*, though the Proteſtants of England were raiſed to fight, and the people and their poſterity mortgaged by their repreſentatives, to pay theſe troops which were waſting their blood in ſupport of the Papal ſupremacy over the King of France; and the other was *Liberty and Property*, though the ſame guardians of their rights had granted to the King the authority of granting to an oligarchy of twenty-four ſubjects, more than the prerogatives of ſovereignty which belong to an Engliſh King; had doomed their fellow-ſubjects to the deſpotiſm of military law, and to be reſcinded from their unalienable privileges of encreaſing their property by commerce, wherever it could be extended, according to the laws of nations. Such were the men who had juſt perfected a Revolution in favour of the Liberties of Engliſhmen.

What

What ſums of money his Majeſty King William, our glorious Deliverer, and his uncorruptible miniſtry, might receive on the occaſion of this grant, I know not; but ſince both he and they coincided to grant another excluſive charter, which was certainly derogatory to that prerogative by which he had granted the former, I am perſuaded the miniſtry again taſted the ſweets of bribery and corruption, the love of which has hitherto encreaſed, in proportion as the luſcious draught has been repeated.

Notwithſtanding this power of granting charters to the Eaſt India Company was thus imparted to the King by an act of the legiſlature, I am nevertheleſs convinced that the repreſentatives of the people have no more conſtitutional authority than the King *alone*, to preclude their conſtituents from their juſt rights, to ſet up a deſpotic and military power in a ſelect Company, to ſuſpend the laws of England, and grant them the power of making laws for their ſervants, to reſcind their ſervants from applying to the Judges of England; and to give that Company the power of appointing ſuch Judges as they pleaſe; to ſubject the whole community to be ſeduced and kidnapped to become their ſoldiers, and permit the Company to raiſe that money which is to pay them for their ſervice; nor to grant all thoſe rights of ſovereignty, which, by the conſtitution, are incommunicable to any man or ſet of men whatever, by any conſtitutional authority in England.

For in what view, conſiſtent with common ſenſe, and the idea of a free nation, can the ſervants of the people be delegated to give to the King the right of granting to twenty-four of his ſubjects every thing which conſtitutes the exiſtence of right and liberty? The being of a repreſentative depends on his defence of the people from oppreſſion and arbitrary power, the contrary notion is ſubverſive of all idea of repreſentation; and thoſe who preſumed to give up the

people's rights in the preceding act were betrayers of their truſt, and traitors to the conſtitution. No man, much leſs a whole nation, can delegate to another that right which he or they poſſeſs not in themſelves: did ever a people therefore intend to ſubject themſelves to the will and actions of their ſervants, and impart to them the authority of their deſtroying them, and enſlaving them and their poſterity?

Could theſe conſtituents have legally imparted ſuch power to their repreſentatives, by electing them, nine parts in ten who have no votes, and are yet entitled to equal freedom, can never be ſuppoſed to have given them that authority.

I know it is a common aſſertion, that in all governments, abſolute power muſt reſide ſomewhere; but the rectitude of this opinion I deny. It is excluded from the conſtitution of England, as it is by the laws of nature; for though the Commons have an abſolute power *to do right*, they have it not *to do wrong*; for being the ſervants of the public, and guardians of their liberties, they cannot, either in the nature of ſervice of repreſentation, or of the conſtitution, be authorized to betray their truſt, to invade the rights, or to enſlave their conſtituents. Laws may be made of this ſort, and men may acquieſce in them, but they are nevertheleſs ſubverſive of all that is or ought to be dear to a free people.

This declaration may probably be repugnant to the narrow ſentiments of contracted lawyers, who in all their opinions are led by the ſlender thread of the ſtatutes, and ſee nothing in the wide expanſe of native right, and of the conſtitution. Dr. Blackſtone, indeed, declares, *that the power of parliament is abſolute*; but as this power cannot be exerted without the repreſentatives of the people, has he not ſet up a paſſive obedience in the maſters to their ſervants? and enjoined a ſilence into acquieſcence with whatever acts their delegates may inſtitute, however unjuſt and op-

pre[illegible]

preſſive? A paſſive obedience more to be dreaded than that to Kings, which has been long exploded. But in oppoſition to this law opinion, I ſhall tranſcribe that of Mr. Locke.

'Though the legiſlature, whether placed in one or 'more, whether it be always in being, or only by 'intervals, though it be the ſupreme power in every 'commonwealth, yet it is not, nor can poſſibly be 'abſolutely arbitrary over the lives and fortunes of 'the people; for it being but the joint power of 'every member of the ſociety, given up to that per-'ſon or that aſſembly, which is legiſlator, it can be 'no more than thoſe perſons had in a ſtate of nature 'before they entered into ſociety, and gave up to the 'community; for nobody can transfer to another 'more power than he has in himſelf; and nobody has 'an abſolute arbitrary power over himſelf, or over 'any other, to deſtroy his own life, or take away the 'life, liberty, or property of another. Their power, 'in the utmoſt bounds of it, is limited to the public 'good of the ſociety. It is a power that hath no 'other end but preſervation, and therefore can never 'have a right to deſtroy, enſlave, or deſignedly to 'impoveriſh the ſubjects.'

And again: 'Though in a conſtituted common-'wealth, ſtanding upon its own baſis, and acting 'according to its own nature, there can be but one 'ſupreme power, which is the legiſlature, to which 'all the reſt are, and muſt be ſubordinate; yet the 'legiſlature, being only a fiduciary power to act for 'certain ends, there ſtill remains in the people a ſu-'preme power to remove or alter the legiſlature, 'when they find the legiſlature act contrary to the 'truſt repoſed in them: for all power given, with 'truſt, for the attaining an end, being limited by that 'end, wherever that end is manifeſtly refuted or op-'poſed, the truſt muſt neceſſarily be forfeited, and 'the power devolves into the hands of thoſe that

'gave it, who may place it a-new, where they ſhall 'think beſt for their ſafety and ſecurity. And thus 'the community perpetually retains a ſupreme power 'of ſaving themſelves from the attempts and deſigns 'of any body, even of their legiſlators, whenever 'they ſhall be ſo fooliſh or ſo wicked, as to lay and 'carry on deſigns againſt the liberties and properties 'of the ſubject; for no man, or ſociety of men, hav-'ing a power to deliver up their preſervation, or 'conſequently the means of it, to the abſolute will 'and arbitrary dominion of another, whenever any 'one ſhall go about to bring them into ſuch a ſlaviſh 'condition, they will always have a right to preſerve 'what they have not a power to part with, and to 'rid themſelves of thoſe who invade this fundamen-'tal, ſacred, and unalterable law of ſelf-preſervation, 'for which they entered into ſociety.'

Such are the different opinions of Blackſtone and Locke; and let my readers now conſider, which of them is moſt conſentaneous to the nature of man, the laws of God, and the conſtitution of the realm; and then determine on what grounds of delegated authority the repreſentatives of the people preſumed to impart, by act of parliament, the power of granting ſo tyrannical a charter to the Eaſt India Company. And then I would aſk the advocates of Dr. Blackſtone, if ſuch there be, whether the ſame abſolute power which enacted the above law, ſo deſtructive of our national right, has not at preſent an equal power to abrogate it for the ſalvation of the community? And whether a true patriot member can refuſe his utmoſt endeavour to reſtore his conſtituents to their ancient rights, and the kingdom to its former power and conſideration?

NUMBER X.

Dec. 20, 1768.

IN my laſt paper I have ſhewn to my fellow ſubjects, that their repreſentatives can never be legally authoriſed by this conſtitution to enact ſuch ſtatutes as are ſubverſive of thoſe rights, which, by the laws of nature, and of the ſocial compact of Engliſhmen they are entitled to enjoy. I ſhall now proceed to examine the powers which were given by the Commons in parliament to King William, with permiſſion to erect a New Eaſt India Company, and whether theſe powers by which they enabled him to make ſuch grants, were ſuch as they had a juſt title to transfer to his hands, with the further right of imparting them by charter to any company of men in this kingdom, excluſive of the other ſubjects, and with a participation to foreigners.

As this ſingular ſtatute, made in the year 1689, by which the Sovereign of this realm has been empowered to inſtitute a New Company by charter (an Old Company erected by royal prerogative ſtill ſubſiſting) is the firſt of that kind which is to be found in the annals of England; I ſhall examine into the moſt material privileges which were given him by this act of the legiſlature, and into thoſe which were granted by the King to that Company in conſequence of it. And here it is to be obſerved, that it was impracticable, conſtitutionally, to erect a New Company by prerogative power; becauſe all the efficacy which could be exerted by that power was exhauſted in the charter granted to the Old Company. For the King having granted ſuch privileges to them alone, and having excluded all his other ſubjects from interfering in, or violating the rights which were therein granted, had, *through his own mere motion and certain*

tain knowledge, precluded himſelf from exerciſing his prerogative to a ſimilar purpoſe, unleſs by three years notice he had revoked the grants which he had already made; and this he had not done. For unleſs ſuch grants are precluſive to the power of granting the indulgencies by the King to others, they are, in fact, no grants at all: and I ſuppoſe the Old Eaſt India Company would not have given him ten thouſand pounds, and one hundred thouſand more to his miniſters, for the obtaining that charter, the validity of which was ſuſceptible of being annihilated by a ſingle breath of his Majeſty.

This charter, therefore, being granted in conſequence of legiſlative, and not of prerogative conceſſions, the particular powers which are contained in that act are ſuch only as the King was enabled to impart to the New Company; and all ſuch particular grants as exceed the letter and the limits of the law, are a violent and an arbitrary proceeding, and altogether unwarrantable; though ſome of them ſhould be ſuch as had been prerogatively exerciſed by preceding Princes.

Two millions being now to be raiſed to carry on the war in ſupport of the Pope and the Devil, or the Dutch, for the two laſt are equally friends and allies of this kingdom, *the loyal and dutiful Commons*, as it is expreſſed in the act, *moſt humbly preſented his Majeſty with a further gift of duties which were to be laid on ſalt*; and thus this univerſal and moſt uſeful neceſſary of life to all ranks of the community, and more particularly to the indigent and induſtrious, was firſt taxed by a Proteſtant Parliament for the ſupport of a Popiſh war, and to enable the King to erect an oligarchy of tyrants, which it is not impoſſible, may one day, dethrone the very family which he placed in the ſovereignty of England and her dominions. The intereſt of theſe two millions was to be at the rate of eight per cent.

and

and for the payment of it, the manufacturer, the husbandman, artist, artizan, and all others, were doomed to encrease their daily toil, or to be deprived of the means of purchasing that necessary at the price to which it is now advanced. Besides this, the very produce of the earth was rendered less easily to be obtained, and more precarious, because the farmer was, by this duty on salt, rescinded from that fertilizing manure which had been applied with such abundant advantage to that purpose before the erection of that baneful Company.

Ministers were now become more crafty, and Kings less pertinacious than heretofore, in the perpetrating of unjustifiable measures, by acts of prerogative arbitrarily exerted. On this account, where-ever an intention was adopted of oppressing the people, they evaded the old method of regal power, and applied to the Commons for the obtaining such statutes as would accomplish their iniquitous designs; and a majority of these faithful protectors of the rights of Englishmen were seldom unresponsive to ministerial application and purposes; and by these means such oppressive acts, more particularly in the laying of taxes, have been accomplished, as the most profligate Minister would not have dared to advise, nor the most arbitrary monarch to have carried into execution by his sole mandate. And, for the truth of this assertion, I desire my readers to compare the taxes which have been laid by the former representatives of this people, with those which have been imposed on the other nations of Europe, by the most absolute and most remorseless of their sovereigns.

And here it is obvious to the discernment of all who will presume to think, how little the multitude are influenced by the reality of the truth of things, and how easy they are led captive by the delusion of names and appearances. These oppressive acts were not considered to be the exertions of despotic power,

because

becauſe they were inſtituted by their *Repreſentatives*; as if the name and mode could alter the nature and depravity of the deed, or alleviate the anguiſh of the ſuffering. And they were ſilently obeyed, becauſe the makers of them had been choſen by themſelves to defend them from injurious treatment. And thus the very reaſons which ought to have rendered ſuch betrayers of their truſt, theſe mortgages of the people and their poſterity, to ſuch ignominious purpoſes, ten times more execrable than if the ſame effects had been obtained by regal power, were conſidered as arguments for ſilently acquieſcing with ſuch ſtatutes; and by theſe means the laws of England in various inſtances are become the moſt tremendous inſtruments of deſpotiſm in the hands of Miniſters; for laws are inexorable, and even the momentary relentings of a tyrant's heart are precluded from ſuch cruel inſtitutes.

By this act his Majeſty King William was empowered, ‘ by commiſſion under the Great Seal of ‘ England, to authoriſe and appoint any number of ‘ perſons to take and receive all ſuch voluntary ‘ ſubſcriptions, as ſhall be made by or for any per‘ ſon or perſons, natives or FOREIGNERS, towards ‘ the raiſing the ſum of two millions, and to incor‘ porate them into all the privileges of this Company.’ In this inſidious manner the delegated guardians of the rights and liberties of Engliſhmen, not only deprived, as far as in them lay, their fellow ſubjects from thoſe commercial privileges to which by Magna Charta they are intitled, but even broke down the conſtitutional mound, and let in that inundation of foreigners into this Company, who have ſince well nigh overwhelmed all thoſe advantages which were to be derived from that trade, and from which the nation in general was barbarouſly precluded. In this manner the predilection of the Dutch, which diſgraced the adminiſtration of that reign, was ſignally mani-

manifested, and iniquitously prevailed, notwithstanding it was righteously and vigorously opposed by many honest members of both Houses, the majority of whom was so flagrantly abandoned.

Of this Company there were to be annually elected Twenty-four Trustees, by way of ballot, who are now called Directors; and these at no great distance, without the vigilance and activity of all ranks of the community, will become Dictators; for they have already usurped the power of that unlimited magistrate, as it was occasionally exercised in Rome, when free, through all the dominions of Asia, Africa, and America, wherever they have obtained a settlement; and should they be unconstitutionally indulged with retaining the conquered lands of Asia, one fourth part of that revenue which they produce, will inevitably fix them perpetual Dictators, alike in England as in India; and it will prove as impracticable to prevent the sun from rising, as to preclude the influence of five hundred thousand pounds, much less of two millions annually, to be distributed by Directors, among such men as receive the wages of corruption in the grant of the former charter, in the reign of King William; and as the Roman legions, by the incitements of their Perpetual Dictator, and the lust of gold, were seduced and instigated to enslave their country, and to make him their tyrant, such may, in like manner, be the event of these in England, without that vigilance and vigor, which, by the imminence of the danger, is now absolutely necessary to be exerted by every British subject who is resolved to live and die a free man, to be loyal to his King, and to defend himself and his posterity in their just claims and properties. For this is one eternal truth, that should the Company be permitted to retain those revenues, the lust of power on the one side, and the lust of money on the other, will furnish them with men, who by votes or

arms, will certainly effectuate any despotic purposes.

'By this law all persons who were concerned or 'traded, whether in the Company or by licence, are 'to swear not to trade for more than the sum of two 'millions: and all their factors, agents, and servants, were to swear fidelity to the Company.' Besides these particulars, the faithful Commons empowered the King to grant them 'the privilege of 'making bye-laws, as they should think proper for 'the government of their servants, and all others, 'who might disregard or infract the privileges to be 'granted in the charter; and to inflict penalties and 'punishments, by imprisonments, mulcts, fines, and 'amerciaments, for any breach of those laws; and 'to levy such fines, &c. to the use of the Company 'respectively: and they had the privilege of borrowing money, not exceeding their capital, under 'their common seal. And whoever should presume 'to trade in the parts interdicted by the charter, 'were to forfeit all goods, ships, &c. and double the 'value of them; one fourth to the informer, and the 'rest to the Company. This act imparted the power 'granting them the above privileges for twelve years, 'and the charter was also capable of being revoked 'on three years notice.'

Such were the powers with which this perfidious House of Commons unconstitutionally invested the King, in order to grant them to a few of his subjects, to Dutchmen, Danes, and all nations who are incapable by the very fundamental principles of the constitution to receive them; and notwithstanding which, they have continually participated in those advantages, to the exclusion of the British nation in general.

Enormous as this Act must appear to all considerate men, this was not the whole of that mischief which it contained. Not content with subjecting all

who

who might ſerve under theſe lordly maſters to arbitrary ſway, depriving all thoſe of their lawful rights of commerce who might dare to traffic in thoſe interdicted parts, and making them obnoxious to their arbitrary laws, they now in the ſame ſtatute enact, ‘ That a duty of five per cent. above all other duties, ‘ ſhall be laid on the true and real value of all goods ‘ and merchandize, product and growth of the Eaſt ‘ Indies, and all the interdicted parts, for the uſe of ‘ the ſaid Company,’ in order to ‘ maintain ſuch Em-‘ baſſadors or other Miniſters, as his Majeſty, at the ‘ nomination of the Directors, ſhall be pleaſed to ſend ‘ to any Emperor, Prince, or State, within the parts ‘ aforeſaid, or to defray any other expences: the ‘ ſurplus to remain with the Company.’

And in this manner, and by theſe means, as all taxes are ultimately paid by the conſumers of thoſe commodities on which they are placed, the good people of England were doomed to pay a duty of five per cent. on ſuch goods, in ſupport of an oligarchy trade and advantages from which they were excluded, and of which foreigners were allowed to participate equally with the Company itſelf; and thus by adding five per cent. duty, to eight per cent. intereſt, and ſuppoſing their imports equal to their capital, they were allowed thirteen per cent. intereſt for the loan of two millions.

Such were the ſignal examples of truſt and fidelity to their charge, which were manifeſted by the repreſentatives of the people in that honourable Houſe of Commons; men of revolution principles, reſtorers of the nation's rights, and enemies of arbitrary power. Could theſe Commons of England, elected by the people to preſerve their rights, be conſtitutionally authoriſed to tax the community, in order to ſupply the exigencies of a tyrannic oligarchy, and for the ſupport of a trade from which theſe very repreſentatives have excluded their conſtituents? Will

even Dr. Blackſtone ſtand forth the advocate of ſuch authority delegated to that houſe? If he does, let us hear no more of execrating the Tories, for being the ſupporters of paſſive obedience to a Sovereign, if we muſt implicitly yield it to our ſervants. Such principles are infinitely more ignominious and more ſlaviſh than the former; for if thoſe Commons had an authority to tax the people for the ſupport of the Eaſt India Company, they had an equal right to tax them for their own ſupport and benefit: and if they could take a duty of five per cent. from the property of the community, and apply it to the uſe of that Company, they could take from the ſame people all they poſſeſſed, and apply it to their own purpoſes; for the quantity of the money makes no difference, 'tis the act of taking and applying any ſum in the preceding manner, which conſtitutes the tyranny of the tranſgreſſion. If ſuch power be conſtitutionally in the Commons, no man can conceive his property to be ſafe: more eſpecially if ſuch repreſentatives ſhould once more fill that Houſe, as thoſe who doomed their conſtituents to the payment of that duty to ſuch uſes and to ſuch dictators.

To levy money by Royal mandate, without conſent of the Commons, is diametrically oppoſite to the Great Charter and the Bill of Rights, even tho' it be applied to the ſervice of the State. Were theſe Commons then entitled to levy money on the people, for the ſervice of a Company which precludes the people from their rights, and threatens deſtruction alike to the King and kingdom? The former has been execrated and aboliſhed; the latter, I am perſuaded, will not long ſurvive. Such privileges, whether granted by the King or the Commons, whether obtained by laws or by the Prerogative Royal, are equally unjuſtifiable, arbitrary, and unconſtitutional; and this notwithſtanding by the former method it has the ſeductive appearance of being legal, and by the

the latter it impacts a conviction of its being unlawful and despotic. Such was the event of this transaction, the interlopers denied that the King could equally grant an exclusive charter, and then received the same grants from his hands, because they were transferred to him by the servants of the public, who had less right to give him that power than he to exercise it, before the granting the first charter which precluded him from all pretext of granting the second: and in this manner those vigorous friends of liberty and right, those opponents of the former grants, most conscientiously accepted the charter, which rendered them absolute and tyrannic over their fellow-subjects in Asia, and now threatens to effect the like despotism in England.

NUMBER XI.

Dec. 24, 1768.

THE powers which were specifically imparted by the statute which enabled King William to grant a charter to a New East India Company, being such as are previously related; the faithful representatives of the people, ever watchful of their rights and tenacious of their liberties, added to the antecedent particulars (singular and extensive as they may appear) one other clause which instantaneously demolished all the bulwarks of the nation's rights, and permitted the King, with unlimited power, to act as he pleased respecting the grants which he might bestow on this Company; and this they effected in the subsequent terms: "And it shall and may be lawful to and for his *Majesty*, *by letters patent under the Great Seal of England*, to incorporate all such subscribers

ſcribers to be one Company, with powers to chuſe their own managers, or directors, and officers, and to grant ſuch other powers and clauſes, as ſhall be neceſſary or requiſite for the carrying on of ſuch trade; or ſhall be reaſonable for his Majeſty to grant; and the directors or managers, and other members of the ſame, ſhall be ſubject to ſuch farther *rules, qualifications, and appointments, as his Majeſty, in their charter, ſhall think reaſonable to be inſerted.*"

This was a glorious and munificent addition of the Commons of England to the powers which they had *ſpecifically* imparted by the ſame act. And it not only *filed*, but *heaped* the meaſure of their iniquities; and which, notwithſtanding the proviſo of granting ſuch powers only as ſhall be *reaſonable* for his *Majeſty to grant*, does abſolutely annihilate that reſtriction, by empowering the *King* to grant to the Company all ſuch *rules, qualifications, and appointments*, as *he* ſhall think *reaſonable* and neceſſary to be inſerted in the charter; and between theſe two *reaſonables* there might poſſibly be no ſmall difference. By this ſingle clauſe of treacherous indulgence, all the liberties and privileges of Engliſhmen, reſpecting their commercial rights eſtabliſhed by Magna Charta, of trading to all parts of the globe; together with thoſe of freedom of perſon, of encreaſing their property, and even of keeping that property already poſſeſſed, were by the Commons given to the King, to *ſuſpend* or *diſpenſe with*, as *he* ſhould think *reaſonable.* And thus a ſtatute was enacted to enable King William to do thoſe very deeds of *ſuſpenſion* and *diſpenſation* of laws for which King James had moſt righteouſly been expelled the kingdom; and thoſe powers which had been *illegal* in the *prerogative*, were now made lawful by *parliament*, and rendered *irrevocable* by the *Commons* to all eternity: for the enacting this law depended on *their conſent*; but the revocation of it on *that* of the *King and his ſucceſſors.* For whatever bills might have been

been paſſed in the Commons, to reclaim the powers they had given away, it was in the hands of the King to prevent their being carried into a law by his *negative*, and that *negative* he gave on other occaſions. Such were the deeds of men delegated by the nation to preſerve them in freedom, right, and property; in defence of which they ought to have ſacrificed their lives, and for which deſertion of their duty they ought to have been executed, as betrayers of their truſt, and traitors to the conſtitution.

For certainly, according to the precepts of ſacred writ, which ſays, *put not your truſt in Princes*, King William, however, in wiſdom he might be deemed ſuperior to thoſe ſovereigns who reigned before him, was not *infallible* in his judgment, or inſuſceptible of being deluded or miſled by inſidious and ſelf-intereſted miniſters. That conduct, therefore, which his Majeſty or his minions might think *reaſonable* to grant, might *poſſibly* be *unreaſonable* in itſelf, and the ſanction of *ſuſpending* and *diſpenſing* with the laws which was thus imparted, was a ſacrilegious and unpardonable act in men who had juſtly ſent their late Sovereign into exile, for having illegally exerted that arbitrary power. And thus they erected, by parliamentary authority, that power of prerogative in Kings, reſpecting this pernicious Company, and made *that* lawful which they had formerly inſiſted to be deſpotic, and not to be entruſted to the hands of ſovereigns.

But the miniſters of the King were encreaſed in wiſdom by the antecedent experience of thoſe diſcoveries which were made by the inquiſitorial authority of the Houſe of Commons, into their former crimes of bribery and corruption; and though they at that time prevailed in defeating the honeſt intention of puniſhing them for their ſins, they reſolved no more to riſque the danger of a diſcovery, and to confide in the attachment of their dependants in parliament,

for

for their ſafety. On this account they obtained the preceding clauſe from the Commons, that the King ſhould have the right of inſerting in the charter *ſuch rules, qualifications, and appointments*, as *he* ſhould think *reaſonable*, and thus effectually ſecured themſelves from every parliamentary enquiry into their conduct; for by this cunning device, that Houſe of Commons had cleverly precluded themſelves from the exerciſe of their inquiſitorial power, as far as it related to all things tranſacted by the King, his heirs and ſucceſſors, in regard to the Eaſt India Company.

For it would have been the moſt ſignal abſurdity and contradiction for thoſe repreſentatives to have called to account, arraigned, or impeached, the miniſters of King William, for the adviſing ſuch *rules, qualifications, and appointments* as his Majeſty had thought reaſonable to be granted, becauſe they had papally granted to him the plenary indulgence of inſerting what he ſhould think *reaſonable*; and as no *proof* of his Majeſty's thinking any *power unreaſonable* which *he* might concede, could be derived but from the boſom, and the diſcovery of the King alone, it bears no plauſible appearance that the ſame ſovereign would condemn, as *unreaſonable*, what he had granted as *reaſonable*, and arraign *his own* or his miniſter's underſtanding and integrity, or give his *aſſent* to any bill which might be paſſed through the Commons for the revoking that clauſe in the preceding ſtatute, and thereby lay open his miniſters to parliamentary inquiry, for adviſing that conduct which he had thought *reaſonable* to adopt, and thoſe grants which he had conſequently, by charter, imparted to the Eaſt India Company. And in this deteſtable manner, and by theſe nefarious means, the miniſters were, by the act and deed of the Houſe of Commons, guarantied by *law* from all danger of enquiry; and all legal reſtraint and apprehenſion of chaſtiſement, for the iniquities

which

which they might perpetrate refpecting that charter, and that Company, was, by this deftructive inftitute, as effectually removed from their hearts, as integrity had been from their confciences, when they perfidioufly fold the nation's rights and freedom to the Old Company.

And thus, in this infidious manner, by authority of the Commons, the high road of corruption and felf-intereft was parliamentarily levelled and made fafe for the exercife of the moft execrable of all robbers, the robbers of their *country's rights, privileges, and liberties*; and every barrier of law and of the conftitution, which had been erected to prevent fuch national felonies, was by the very centinels ordained to guard them, infamoufly thrown open, that no poffible impediment might fubfift which might either difcourage their perpetrating fuch acts, or retard their efcape from juftice; and by their connivance they were let loofe to the commiffion of every deed of depredation and rapine which they might think *reafonable* for his Majefty to think *reafonable* to be inferted; and in thofe days the *plunder of the ftate was minifterial reafon.* And in this manner the guardians of the people had, irrevocably, by their power, conveyed to the King the illegal and unconftitutional means of fecuring his minifters from punifhment, for whatever tranfgreffions they might commit againft the people's rights, freedom, and commercial privileges, in favour of the Eaft India Company.

From the origin of the conftitution to that fatal day, no act fo replete with mifchief, and fo communicative of arbitrary power to the fovereign on the throne, had ever been inftituted; thofe excepted which had been paffed by the Commons in the reign of Henry the Eighth: then, indeed, your reprefentatives ignominioufly enacted, that the King's Proclamation fhould poffefs the force and vigour of the laws, and impowered his Majefty to leave his domi-

nions and his ſovereignty to whom he might pleaſe by his laſt Will to nominate and appoint. And the people were abſolutely enſlaved by the act and deed of the guardians of their liberties. By this law in the reign of King William, the Commons imparted to the King the permiſſion of granting by his charters, all thoſe powers and prerogatives which are included both in the executive and legiſlative departments of government, himſelf yet living. And theſe powers, in conſequence of this, and of ſubſequent acts, have erected that Company into a tyranny, unknown to this conſtitution; and which, wherever they reſide, and whatever be the form of government, whether in *one*, in a *few*, in *many*, or in the repreſentatives of *all*, includes every thing that can be denominated tyranny in the heads, and enſlavement on the ſubject. But theſe diſgraceful and oppreſſive acts of that ſervile and miſcreant Houſe of Commons, in the days of that tyrant Henry the Eighth, were repealed in the ſucceeding reign; and the conſtitution was reſtored to its ancient dignity in that reſpect; but the ſtatute enacted in the reign of King William, not only ſubſiſts with full vigour at this day, but has been ſtrengthened and encreaſed by other acts in ſucceeding Houſes of Commons. Will Dr. Blackſtone, who aſſerts, and truly, that the King cannot *ſuſpend* or *diſpenſe* with the laws in an unconſtitutional manner, perſiſt in declaring that thoſe Commons have an abſolute authority to tranſact ſuch things? and that the people ſhall paſſively obey their ſervants, which they incapacitated themſelves from repealing, without the conſent of the King and the Houſe of Lords? and abſolutely renounced and ſurrendered the eſſential duty of ſaving their conſtituents from deſpotiſm and oppreſſion?

But the auſpicious day is now approaching, the repreſentatives of the people are now rouzed from the lethargic ſupineneſs and corrupt indulgence of their

pre-

predeceſſors. The exerciſe of thoſe arbitrary powers by the Company in the realms of Aſia, though unattended to in their origin and progreſs, whilſt they were operating inſenſibly on the national welfare, which inattention is eternally the conſequence of miſchief, however enormous, when tranſacted in regions only far remote, has now, by the arrogant uſurpation of that Company, in retaining the Aſiatic lands and revenues from the King and from the ſtate, brought the danger and the dread of that power into the midſt of this kingdom. The nation has taken the alarm, and the demolition of their deſpotiſm, the ſalvation of the ſtate, and the freedom of the people from their enſlaving directors, are well nigh arrived to their completion.

The patriotic ſucceſſors of thoſe perfidious Commons will, I am confident, obliterate the ignominy of thoſe, who, in former reigns, have betrayed their truſt, and ſacrificed the liberty of the people and the conſtitution of the kingdom; and in the perfecting this laudable event, they will undoubtedly be aſſiſted by every honeſt Briton, be gratefully thanked by the whole community, and the honour of having delivered their country from perdition and ſlavery will be eternally affixed to their names and characters. Succeeding generations will bleſs their memory, and on the anniverſary of the   day, in the month of   of the year   , they will pour their ſacred libations to the immortal remembrance of that auſpicious day, and of thoſe who ſaved them; and enthuſiaſtically pronounce to their gazing children, 'On 'this propitious day the Britiſh nation was happily 'delivered from the arbitrary power of the Eaſt India 'Oligarchy, and reſtored to freedom; and be this 'day everlaſtingly conſecrated and remembered by 'you and your poſterity.' Old age ſhall pronounce theſe words with exultation; puerility and juveneſcence ſhall hear and repeat them with delight and

rapture; and one universal sound of thankful reminiscence shall fill the wide extended realms of England, and things inanimate reverberate the joyful accents. These are the rewards which men deserve who have delivered their country from thraldom: these are the oblations which a grateful nation will offer up to patriotism; and these acts, in the House of Commons, will be consecrated into permanency and law, by that Sovereign who is incapable of pronouncing that *negative* which can retard his people's happiness.

NUMBER XII.

Dec. 27, 1768.

TO the clauses already mentioned in the preceding act of parliament, there is yet another which deserves to be attended to; and it is, "That on the payment of two millions, three years after notice, the Company shall cease." And this alternative, relating to the payment of that sum, necessarily sprung from the loan of the two millions with which the Company had then first supplied the government. By these means, the nation has on their representatives a just claim of redemption from their oppression and injuries; and I trust it will not be denied, but it still remained in the King to frustrate, by his negative, every act by which that sum might be raised to discharge the public debt to the East India oligarchy. As that privilege of redemption has not yet been carried into execution, the ascendancy of Ministers over their masters has never been brought to an experiment in that instance. Such is the first law that was ever granted in favour of this Asiatic Company; and such was the first King who received from the legislative body the right of granting such unbounded powers

to

to any ſet of men: for he was left unlimited but by his own *reaſon*; a guide in Kings, to which it will eternally prove fatal to truſt the whole happineſs and freedom of a nation.

I will now enquire into the powers and privileges which King William by charter granted to the Eaſt India Company, in conſequence of that unbounded ſovereignty with which he had been inveſted by the Commons.

By this charter the ſubſcribers were incorporated into one Company, by the name of the *Engliſh* Company trading to the Eaſt Indies: and this new and apt appellation of *Engliſh*, was adopted, I ſuppoſe, as *lucus* is derived *a non lucendo*, becauſe the Company was open to all nations equally with the *Engliſh* themſelves; French, Spaniards, Portugueſe, Germans, Swedes, Danes, Ruſſians, Italians, and Dutch, all nations of Europe, Aſia, Africa, and America, all ſhapes, colours, and languages, religions, and forms of government. Nay, there was no interdict againſt Satan and his ſubjects: They might ſubſcribe, and their leaders be directors of the Company. None but the Engliſh were denied their native and conſtitutional rights, in order to erect a tyranny, and convert the liberties and the privileges, the taxes, fleets, and armies of the nation, to the aggrandizing the power of Directors, and the enriching the ſubjects of foreign nations.

And here it is to be remarked, that theſe grants, by charter, are expreſly ſaid, in the charter itſelf, "to be in purſuance of the powers and clauſes, for this purpoſe contained in the act of parliament," and not by prerogative. Hence it appears, that the clauſes in the charter, not ſpecified in the act, are thoſe which were granted in conſequence of that ſignal clauſe of the ſtatute, which empowered his Majeſty to grant ſuch *rules, qualifications, and appointments as he ſhould think reaſonable.*

Among

Among theſe rules, qualifications, and appointments, it was ordained, *that the Company ſhould export at leaſt one tenth of their cargoes of the product of England:* and I am told they have underſtood theſe words in the inverted ſenſe, of *at moſt* one tenth of the product of England. *That a Chaplain appointed by the Archbiſhop of Canterbury ſhould be ſent on board of every ſhip of five hundred tuns*; but they purpoſely ſend no ſhips of that burden; and thus they evade the obligation of the charter, and rob the Archbiſhop and the clergy of their intended rights. For thoſe good Chriſtian Directors, who were formerly empowered by charter to deſtroy, burn, and put to death all Infidels who ſhould preſume to oppoſe them in their trade, are perſuaded that a Chaplain might naturally diſcourage ſuch directorial Chriſtianity; and thereby, interfering in *their ſyſtem of religion*, prevent the Company from acquiring theſe immenſe riches which they now have, and which they never could have poſſeſſed, if their governors and officers, their ſoldiers and ſailors, in Aſia, had liſtened to a Chriſtian Prieſt, inculcating acts of mercy, juſtice, and human kindneſs, by his preaching. Beſides, if the ſaid Chaplains ſhould convert the *Infidels* to *Chriſtianity*, they would defeat the moſt beneficial branch of the Eaſt India Trade, that of plundering and putting thoſe *Infidels* to death, who might probably be induced to ſecure their lives and property by becoming converts: and I ſuppoſe the Company ſend no Chaplains for the ſame reaſon that the Mexican Spaniards petitioned the Pope their Sovereign, that the Prieſt in Mexico might be commanded to make no more converts amongſt the Indians: for if they went on in the preſent deſtructive manner, in making Chriſtians, trade would be utterly undone; and there would be no natives left *unconverted*, to work the mines of ſilver. Lacks and crowes of rupees, ſacks of diamonds, Indians tortured to diſcloſe their

trea-

treaſure; cities, towns, and villages ranſacked and deſtroyed; jaghires and provinces purloined; Nabobs dethroned, and murdered, have formed the delights, and conſtituted the religion of Directors and their ſervants, on the plains of Aſia, in times within this century.

The next clauſe comes under the article of *qualifications*, as I conceive it, "They are to maintain a Chaplain and ſchoolmaſter in all their factories; and all theſe chaplains are obliged to learn Portugueſe in one year after their arrival."

And this grant of intellectual *qualification*, of learning a language in one year, was a very gracious act of his Majeſty to the Chaplains; and it was very good in the Commons to enable the King to beſtow the ſaid intellectual qualification; for without this legiſlative and royal grant, I much queſtion whether theſe chaplains could have accompliſhed the learning Portugueſe in a twelvemonth; and many people to this day believe, the Commons granted what they had not to give, and that neither the King nor the Chaplains received any aſſiſtance from that part of the act.

One of the *rules* is, that *they are not to trade for more than their capital*; and another *that they are not to owe more than that ſum on their bonds*. How far they have obſerved or diſregarded theſe *rules*, I know not; but this I know, there are many perſons who inſiſt that they have violated both. If this be true, on a parliamentary enquiry will it not appear that they have broken their charter? Beſides theſe *rules* and *qualifications* there was an appointment *that every Director ſhould take the following oath:* "I do faithfully promiſe that in the office of a Director of the East India Company, I will be *indifferent* and *equal to all manner of perſons*, and will give my beſt advice and aſſiſtance for the ſupport and good government of the ſaid Company; and in the ſaid office of a Director will *faithfully* and *honeſtly* de- "mean

"mean myſelf according to the beſt of my ſkill and "underſtanding."

Such being the ſacred injunction of their oaths, which obliges them to be *honeſt* and *faithful* to their truſt, *indifferent and equal to all men*, I am perſuaded that it appeared on Wedneſday laſt, that the rumours which are daily propagated, that the Directors had ſecreted from the Proprietors the annual ſum of 1,200,000 l. in the annual account made up in laſt June; and that it was done to conceal from government the true ſtate of the Company's affairs, and that they are exerting their utmoſt power to obtain ſuch ſubſequent Directors as they ſhall nominate: ſplitting ſtock, dividing roguery, extending corruption, menacing, cajoling, and purchaſing the Proprietors to vote as theſe Directors ſhall dictate, is an arrogant falſehood and atrocious calumny, invented and divulged by their enemies, in order to impute the moſt heinous tranſgreſſions to theſe honeſt men. Can it be poſſible, that *men of property* can trifle with the ſacredneſs of an oath? Will they forfeit their charter by ſuch violation? Or can they ſhew their faces to the ſun after ſuch opprobrious actions? And yet I have heard theſe calumnies aſſerted to be true, by men whom I have found to be ſtrictly ſpeakers of the truth on all other occaſions. But for a full enquiry into this matter, we muſt wait the reſolutions of the Houſe of Commons, and from them their conduct may be juſtified or condemned.

Beſides the preceding grants, the King thought it *reaſonable* to grant that the Company ſhould have "the rule and government of their forts, factories, "and plantations; to appoint what Governors they "pleaſed, and to remove them at their will and "pleaſure; to raiſe, train, and muſter ſuch military "forces, as ſhall or may be neceſſary for the *defence* "of the ſaid forts, &c." But he ſtill judiciouſly reſerved "to himſelf, his heirs and ſucceſſors, *the Sovereign*

" *vereign right, power and dominion* over all the ſaid " forts, &c. he granted them the power to erect " Courts where the Company ſhould think fit, and " appoint ſuch judges as they ſhall nominate, to hear " and determine all cauſes of forfeitures and ſeizures " of ſhips, goods, &c. of merchants trading con- " trary to the intent of the ſaid Act, together with all " cauſes mercantile, maritime, buying and ſelling; " all policies of inſurance, all bills, bonds, and pro- " miſes for payment of money contracts, charter par- " ties, &c. all treſpaſſes, injuries, and wrongs done " at ſea, within the limits aforeſaid, to be determined " according to equity, and according to the laws and " rules of merchants, upon examination and proof, " by ſuch rules or methods of proceeding as we our- " ſelves, heirs, &c. ſhall from time to time direct " and appoint, under our Great or Privy Seal, *and* " *in the mean time, the Judges are to proceed according* " *to their beſt judgment and diſcretion, whether it be in* " *a ſummary way*, or otherwiſe. And this ſummary " way is ſuch *whereby a man may be convicted of* " *offences, without any formal proceſs or jury, at the* " *diſcretion of the Judge or Judges.*"

In this manner, as the power of making laws had been given by the Commons to the Company, the power of executing them was granted alſo by the King; and theſe two powers ſo judiciouſly ſeparated in the conſtitution of England, in order to preſerve life, limb, freedom, and proſperity to the ſubjects were now united, in the Company, to anſwer very different purpoſes: for as theſe Judges intirely depended on the will of the Company for their continuance in office, and on that continuance their enrichment or their ruin, their ſituation was a perpetual temptation for them to ſacrifice integrity to intereſt, and to prefer the mandates of the Company beyond thoſe of truth and juſtice. *What equity* then can be expected from men, who *without the formal proceſs*

of law, may convict men of *offences*; and what the Company may dislike will be certainly *an offence*, whether their pride, resentment, or avarice, be awakened by a criminal or an honest conduct in those who, under the denomination of servants, are the slaves of their oligarchic tyranny? Will not such Judges be sufficiently *discrete* to give their *judgments* according to their *own* and the *Company's interests*, so intimately united?

And lastly, to these clauses were added also, that "All Admirals, Generals, Commanders, and other "Officers, should be aiding and assisting to the Com-"pany, upon request made." And thus the fleets and armies of England, raised and maintained by the money levied on the nation, were by royal charter destined to the service and direction of an oligarchy of Twenty-four Directors, whom the two Houses and the King had erected into those powers which are included both in the legislative and the executive departments of the constitution: and it is remarkable that this charter was signed by Thomas Tennison, Archbishop of Canterbury, with the rest of the Justices and keepers of the kingdom; who manifested no reluctance at the putting of their hands to this patent, by which the rights, liberties, and privileges of the nation were conveyed to an unconstitutional Company, who had no right to receive and exercise them.

Such were the *rules, qualifications, and appointments* which the King, the Justices, and Keepers of the Kingdom thought fit to grant to the East-India Company; all which have been exercised, together with all those also which were previously granted and confirmed by former charters: but as the powers to be granted by the King, were to be such as are *reasonable* for his Majesty to grant, as well as such as *he* might think *reasonable*, why were the representatives of the people so egregiously inadvertant to their duty, as not

to

to examine his Majesty's *reason* by their *own?* and attempt the repeal of that law, after they had seen that powers so *unreasonable* had been granted by the charter? And why did they permit the New Company to exercise those still more despotic and enslaving powers, which never had been granted them, and which were carried into execution because they were constantly perpetrated by the old Asiatic tyranny, from whom they ought to have been taken? Is it possible to conceive, that the Commons of England could be so devoid of common sense as to imagine that such grants were *reasonable?* or were the majority of that House, at that time, purchased by corrupt influence, as they had been heretofore, or were they dead to all sensation of this nation's injuries, and inexertive of their duty, on so signal and so interesting an occasion?

Could they conceive it *reasonable*, that bye-laws should be made by men ambitious of power, and thirsting after wealth, whose interest it was to form such laws as were subservient to their arbitrary and avaritious purposes? Were highwaymen endued with this power, they would make laws to hang none but those who were *not* robbers: and men let loose from legal controul are much the same, whatever be the difference of their titles, or the exaltation of their offices. From these legislative institutes of the oligarchy there was no appeal to the laws of England; or an appeal only to that very law which had given them this privilege of making bye-laws: the only statute then existing relative to this affair, and therefore this power of appeal was at best but illusive.

Could they think it *reasonable* that the judges of offenders against the Company's bye-laws, should be nominated by those Directors against whom the offences must be committed? That those magistrates, their welfare and their destruction should depend on the arbitrary disposal of that Company. In such

cafes, the knowledge of mankind evinces, that the weaknefs of human virtue, actuated by the luft of riches, goes pre-determined to the trial, and the judge, in general, places himfelf on the feat of juftice, an enemy to the man whom it is his duty to try with equity and impartiality.

Could they think it *reafonable*, that fleets and armies, generals, admirals, officers, and common men, fhould be raifed and fuftained by the public money, and wafte their blood in fupport of the private fervice and enrichment of an Afiatic tyranny on their fellow fubjects? Why then have they fo long and fo fhamefully deferred the day of abrogating this act? or rather, O fhameful facrifice of their country's caufe, why have they fince that time ftrengthened it with fubfequent acts, communicating yet farther defpotifm to that Company.

Could they think it *reafonable* to diveft themfelves of their inquifitorial power, and the means of repealing that law? Indignant act! yet this they perpetrated. The King indeed had ftill fome power over the ordinances imparted by his charter, but the Commons could effect *nothing* without his Majefty's confent. And as his Minifters had been formerly bought by 100,000 l. was it to be imagined they would have refifted the artillery of double that fum, when the Commons had fo kindly fecured them from examination and punifhment, for whatever enormities they might commit on that occafion? Was there an individual among them, who would not have thought it *reafonable*, that the King fhould think it *reafonable* to facrifice his fubjects and their country, to the intereft of the Afiatic tyrants, when that facrifice was to fill the coffers of the Miniftry? *Negatives* he gave, and thereby evinced that he was capable of being feduced by his Minifters.

In this manner I have fairly ftated the nature and the tendency of that fingular and unprecedented ftatute,

ſtatute, by which the Commons reſigned the rights, liberties, privileges, and properties of their conſtituents, into the hands of King William and the Aſiatic Oligarchy: and ſhould it be alledged, that in this action I have been animated with warmth and reſentment againſt thoſe repreſentatives of this people, I own the juſtice of the charge. For who can patiently behold his country to be ſacrificed by fools and profligates? He that abhors not the *abandoned*, loves not the *virtuous?* Perdition catch the ſouls of all ſuch betrayers of their truſt, and traitors to the conſtitution and their country! But the day of judgment is at hand; and may the doom of thoſe Directors whom they unconſtitutionally erected into tyrants be righteouſly pronounced, and let all the people ſay, Amen.

NUMBER XIII.

Dec. 31, 1768.

NOtwithſtanding the unbounded power of granting which had been transferred by the Commons to King William, this juſtice is due to his conduct and his memory, that his preſent grants were by no means equal to thoſe which had been given by preceding Sovereigns, confirmed and extended by himſelf in that former charter, which had been ſo iniquitouſly obtained through the corruption of his Miniſters, in the years 1693 and 1694.

For, by this parliamentary charter, the Company were *not* empowered to make war and peace, nor to deſtroy, as Infidels, thoſe Princes and their ſubjects, who, according to the law of nature and of nations, are warranted in the oppoſing all invading aliens who

may

may preſume to trade in their dominions, without the licence of the reſpective ſovereigns. He did *not* grant them the lands which they may conquer or obtain by treaty; *nor* the exerciſe of military law; *nor* to bring as priſoners in chains to England, thoſe fellow-ſubjects whom they may pleaſe to deem infractors of their deſpotic bye-laws; he did not grant them the liberty of coinage, nor the right of ſending embaſſadors in their *own*, but in *his* Majeſty's name alone. Theſe are ſignal and illuſtrious inſtances of his great care and preſervation of the rights of Engliſhmen, notwithſtanding too many had been certainly ſubverted by this very charter. And few Kings, conſidering the exceſſive grants which had been laviſhed by their predeceſſors, and the unlimited exerciſe of them imparted to himſelf by parliament, would have acted with equal reſerve, circumſpection, and tenderneſs for his people, to ſecrete, to palliate, or to augment, the errors and miſdeeds. To depreciate, conceal, magnify, or miſrepreſent the excellencies and good actions of Princes, are flagitious in any man, more particularly in all who preſume to delineate hiſtoric facts, to aſſign their motives and effects, and to deliver them to the public.

The Eaſt India Company at that time were not entitled to the exerciſe of any powers, but thoſe which were ſpecifically granted by the ſtatute and the charter; and every extenſion of thoſe powers, beyond thoſe expreſs conceſſions, were a breach of their charter, an infraction of the law of nations, and every violence, by rapine and death, committed on the ſubjects of the Aſiatic ſtates, were abſolutely acts of piracy and murder, for which, by the laws of England, they were liable to be puniſhed. For theſe acts, inſtead of receiving further grants of favour, had they committed the like rapine and ſlaughter in the realms of Europe, they would have been juſtly

rewarded

rewarded with halters; and it is a ſcandal they have not received it in England.

I ſhall now proceed to enquire into the laws and charters which have been made and granted ſince the preceding reign; and it will then be diſcerned whether by theſe ſubſequent exertions of parliamentary and regal power, the Eaſt India Company are entitled to the exerciſe of thoſe arbitrary acts, which they have carried into execution, ſince the date of the preceding charter.

William being dead, the New Company being thus erected, and the Old remaining, endleſs were the animoſities, and the traverſing each other's intereſt, which were exerted on both ſides. At length, wearied with worrying each other, and with the diſadvantages which it produced, they thought of compromiſing their diſputes and differences; and as the nation was again involved in an expenſive war, and adminiſtration had adopted the method, firſt commenced in the preceding reign, of borrowing vaſt ſums for national exigencies, and mortgaging the properties and labour of the ſubjects and their poſterity to pay the intereſt, it was thought expedient to unite both Companies into one. And to this intent they propoſed to lend one million two hundred thouſand pounds to the government, at the rate of five per cent. This being accepted in the ſixth of Queen Anne, a covenant by indenture tripartite was entered into between the Queen and the two Companies, in order to expedite the union of the two parties; and in conſequence of this indenture, an act was paſſed which eſtabliſhed that union.

By this ſtatute it was enacted, "That the Company "ſhall enjoy all benefit of trade, profits, and ad-"vantages whatſoever, in reſpect of their being given "or granted, or intended to be given or granted unto "them by the ſaid act and charter already deſcribed, "or by the ſaid indenture tripartite," already mentioned

tioned. And by this act of proviso, the clause of redemption was iniquitously extended; for, instead of being redeemable on three years notice at any time, the time was extended twenty years before that notice could be given; and thus the Lord Godolphin, to whom, by the act, the arrangement of these affairs was committed, like a perfidious trustee, protracted the only clause in that law and charter, which never ought to have been altered. And had the Company, indulged with that duration, possessed, at that time, the revenues and profits which, by the Court on the 23d of December, it is incontrovertibly proved they now enjoy, the King, if any such person could then have existed, would have been the machine of twenty-four Directors; both Houses of Parliament had been exterminated; the nation enslaved; and all rule, authority, dominion, and power, in the hands of that oligarchy of despots; wherefore, it becomes the vigilance and the duty of the Commons to prevent such tyranny, now those means are in the hands of the Directors.

By the indenture tripartite it was agreed between the Queen and the two Companies, "That no bye-"laws, orders, ordinances, or constitutions, should "be made repugnant to the laws of England; and "they expresly agreed to the observance of such par-"ticulars as were granted in King William's charter, "and in the law which enabled him to grant it; and "to this they were bound, and were allowed no other, "Salt-petre excepted." In this manner the former grants, and those by Parliament, were again confirmed, and all others were disallowed and excepted to, not only by the Queen, but by the two Companies; and thus, by the covenant under their hands and seals, by their own act and deed, the Company bound themselves to observe, and not to extend or violate the powers already granted, as it has been related in the preceding papers. Such were the par-

liamentary

liamentary and regal acts in the reign of Queen Anne; by which all the enormities of the former were confirmed, and the conditions rendered more oppreſſive by the protracting of the day of redemption; and thus what the old Scottiſh Colonel ſaid to King James, of *both* his daughters, was, by this conduct, verified in *one* of them, and the nation ſtill remained precluded from her juſt rights of freedom and commercial privilege.

The Eaſt India Company, notwithſtanding all theſe unconſtitutional acts and grants, were nevertheleſs ſtill unſatisfied. They therefore, in the fifth of King George the Firſt, ſolicited and obtained another act, which included, among others, the ſubſequent clauſes: "That if any ſubject ſhall ſail, or go to any of the "parts interdicted in the charter, where any trade, "traffic, or merchandiſe *is*, or *may be* uſed or had, "contrary to the laws in being, or the tenor of *this* "act, every perſon ſo offending ſhall be liable to the "puniſhment inflicted by law for ſuch offence. And "it ſhall be lawful for the ſaid Company to arreſt "and ſeize ſuch perſons, being ſubjects of the Crown "of Great Britain, at any place where they ſhall be "found within the limits of theſe realms preſcribed "by charter, and to ſend them to England, there to "anſwer for their offences, according to due courſe "of law."

In this manner did this inſolent and inſidious Houſe of Commons, the ſervants of the people, not only preclude their conſtituents from *trading* in one half of the globe at leaſt, but from *breathing the air* in thoſe regions, though the voyages were undertaken for inſtruction or amuſement; and this violence they committed, notwithſtanding that the great charter of Liberties, which laid the firſt foundation of their exiſtence on the baſis of the feudal ſyſtem, had, by expreſs compact, ſtipulated between the King and the people, and, in conformity to the conſtitution,

 indiſ-

indiſcriminately fixed the right of trading to all parts of the earth in all the ſubjects of England.

And this extravagance and violation was yet farther aggravated by the arrogant uſurpation of ſovereignty over all the Princes, Potentates, and States in this immenſe ſpace of the globe, in defiance of the laws of nature and of nations, by five hundred and fifty-eight ſubjects of this realm, and ſervants of the community. For, what right had they to *diſpenſe with and ſuſpend* the rights of ſovereign Princes? and with that protection which they may pleaſe to afford to the ſubjects of England. But there is nothing ſo preſumptuous and tyrannic as a Houſe of Commons, hallowed by the voice of corruption in a Prime Miniſter, or incenſed by the ſeditious flame of an oppoſition; and this evinced by innumerable inſtances in the annals of this realm.

But this was not the ſole inſolence and arbitrarineſs of this act; having dared to preclude a thouſand ſovereigns and ſtates, as well as the people of England, from their rights, in the antecedent inſtance; they ordain alſo, "That every perſon who ſhall procure, "ſolicit, obtain, or act, under any commiſſion, au-"thority, or paſs, from any foreign Prince, State, or "Potentate, to ſell or trade in, or to the Eaſt Indies, "or other places interdicted, ſhall forfeit 500 l. one "moiety to the informer, and the other to the "Crown."

In this unconſtitutional and unjuſtifiable manner the people of England, after having been ſubjected to be ſeduced and kidnapped for the military ſervice of the Aſiatic oligarchy, taxed to pay the expences of their embaſſies and expeditions, excluded from their privileges of trade, and even breathing in the ſouthern parts of Aſia, Africa, and America, were inhumanly reſcinded from ſeeking in other realms the advantages which were unjuſtly denied them in

their

their native land, by men elected to reprefent and ferve the nation in Parliament.

Notwithftanding this oppreffive act, Englifhmen difdained to yield their rights and liberties to fuch unwarrantable ordinances; and fought in alien ftates, more hofpitable, thofe benefits from which they were prohibited in their native country. To prevent this alfo, it was enacted in the ninth of the fame reign, "That if any fubject of his Majefty fhould contri-" "bute to, or encourage the eftablifhing or carrying" "on a foreign Company, trading from any of the" "Auftrian Netherlands to or from the Eaft Indies," "or fhall be interefted in any fhare of the ftock or" "actions of any fuch Company, or fhall make any" "payments in money, or by bill of exchange, or" "otherwife, towards promoting or improving fuch" "Company, or the trade thereof, or fhall fubfcribe" "to the eftablifhing any other foreign Company for" "trading to the Eaft Indies, or be concerned in any" "ftock therein, the perfons fo offending fhall for-" "feit their intereft or fhare in the ftocks of any" "fuch Company, with triple the value thereof, one" "third to the Crown, and two to the Eaft India" "Company, if they inform, or fue for the fame."

Such was the act by which the *honourable* Eaft India Company, as they ftile themfelves in their advertifements for recruits, was erected into a Company of Informers, with premiums for the encouraging them to that laudable employment; and the merchants of England were precluded by their own reprefentatives and fovereign, from receiving the like advantages in foreign ftates, which foreigners, by law, received in this. An act fo deftitute of common fenfe, fubverfive of found polity, and repugnant to nationnl advantage, as can hardly find an equal in the Statutes at Large; and certainly thefe are more than large enough for all good purpofes.

It ought to have been the indifpenfable duty of every part of the legiflature, to have infifted that Englifhmen fhould be permitted to fubfcribe in all the Eaft India Companies of Europe, in return for thofe indulgencies, which, in England, had been fo injudicoufly granted to all nations upon earth; in order, by that reciprocal liberty, to have eftablifhed a method of that money being returned to this nation by the payments of the dividends of thofe Companies, which had been previoufly remitted to them by dividends of India ftock in England.

Who can refrain from execrating the memory of fuch mifcreant Beings? Was it ignorance or corruption that prevailed to accomplifh this perfidious purpofe? In either cafe, what can be the fate of a nation thus diabolically reprefented?

NUMBER XIV.

Jan. 3, 1769.

THE antecedent injunctions, cruel and deteftable as they muft appear to the eyes of all men who feel for right and liberty betrayed and ruined, were rendered yet more oppreffive by the violation of all the laws of nature, and of the conftitution, refpecting the penal ftatutes of this realm: 'The Attor-
'ney-General was impowered, *of his own accord*, or at
'the *relation* of, and for the Eaft India Company,
'to file a bill of complaint in the Court of Chan-
'cery, or the Exchequer, againft any perfon who
'fhall have fubfcribed, contributed in, or promoted,
'or any ways become interefted in the eftablifhing
'any fuch foreign Company, or the ftock or trade
'thereof, for the difcovery of his offence, infifting
'only on the fingle value; and thereupon fuch per-

'fon-

'fon fhall anfwer to the bill, and not plead or demur 'to the difcovery thereby fought. And in cafe the 'fingle value fhall be directed to be paid, one third 'fhall go to his Majefty, and two to the Company; 'and if any fubject fhall have accepted any truft, or 'know of any intereft, fhare, or concern, which any 'of his Majefty's fubjects fhall have, or be entitled 'to, in any fuch foreign Company, and fhall not, 'within fix months after accepting that truft, or the 'coming to the knowledge of fuch truft, truly dif'cover the fame in writing to the faid Company, or 'their Court of Directors, he fhall forfeit treble the 'value of that intereft, fhare, &c. fo accepted in 'truft, or fo known and not difcovered, one half to 'the Crown, the other to the perfon who fhall fue for 'it; or fuch offender fhall, at the difcretion of the 'Court, fuffer one year's imprifonment; and all per'fons that within the time above limited fhall volun'tarily come to the Court of Directors, and make 'a true difcovery in writing of the intereft, fhare, 'or concern of any fubjects in the ftock of any fuch 'foreign company, fhall have one half part clear of 'the forfeitures arifing by the acts.'

In this manner the malignancy of lawyers was incited to aid and affift the avarice of the Company of Eaft India Informers; the firft to profecute on his *own mere motion*, or on a *fingle relation* from the Company, of any act forbidden by this law, and both were let loofe againft any men whom either of them might chufe to profecute through refentment for any deed whatever it might be: for in that accufation the true motive might eafily be concealed.

The innocent were doomed to the expence of anfwering the bill, equally with the guilty, and the latter were put to the torture between two violences, either to accufe themfelves, fo contrary to the laws of nature, and of the conftitution, in all penal ftatutes; or to incur the heinous fin of perjury, in order to pre-

ferve

ſerve themſelves from the preceding penalties; men were tempted to delude their friends and acquaintance to ſubſcribe, to place the ſubſcription in their truſt, and then to inform, and diſcover that truſt, in order to ſhare in the reſpective forfeitures. All the foundations of mutual confidence in man were ſapped and undermined, and thoſe who would not betray their truſt, were doomed to the payment of a treble ſum, or to impriſonment.

The penalty alſo for travelling only, or being found in any part of the interdicted realms, was encreaſed; all ſuch perſons were now declared 'guilty of a *high* '*crime and miſdemeanour*, to be proſecuted in any 'court of Weſtminſter, liable to corporal puniſhment 'or impriſonment, or ſuch fine as the Court ſhall 'think fit; to be ſeized and brought to England; 'and any Juſtice of the Peace might commit them 'to the next county gaol, till ſufficient ſecurity ſhould 'be given by natural born ſubjects, or denizens, to 'appear in that Court, where ſuch proſecution ſhall 'be commenced, and not to depart out of that 'Court, nor the kingdom, without leave of the ſaid 'Court.'

Such were the ſignal acts of legiſlature paſſed in the reign of George the Firſt; by which it is evinced that the repreſentatives of the people gradually become the more conſpicuous violators of their charge, and more flagrantly ſacrificed their conſtituents rights and privileges as the reigns ſucceeded from the paſſing the firſt act in favour of Aſiatic Maſters, in the reign of King William. Magna Charta, and the Bill of Rights, were totally diſregarded, and that egregious folly then prevailed, which hath ſince ſo enormouſly encreaſed, that the laws paſſed by the Commons, and the other legiſlative bodies, make the conſtitution of England; whereas the Conſtitution did, in fact, make the Commons, and ought to be ſacredly obſerved in every legiſlative act of this Conſtitution. The Great Charter

of

of Right and Liberty, ſix-and-thirty times confirmed, is at once the foundation and the bounds, which cannot be violated by acts of parliament, without effectually undermining the very baſis of parliaments.

Theſe ſtatutes, however replete with conceſſions of arbitrary power, were ſtill inadequate by the purſuits of that Aſiatic Oligarchy; they were inſatiable with the ſweets of deſpotiſm, whilſt any thing remained ungranted which could either impart freſh powers, or corroborate thoſe they already poſſeſſed. Urged by this rapacious incentive they applied to the Throne for another charter, in the thirteenth of that reign. Their petition was founded on 'the want of a proper and 'competent power and authority for the more ſpeedy 'and effectual adminiſtering of juſtice in civil cauſes, 'and for the trying and puniſhing of capital and 'other criminal offences.' What were their ideas of competent power!

Not content with ſeizing and impriſoning thoſe fellow-ſubjects who might preſume to breathe the air, or behold the ſun, in India, with inflicting bodily pains and penalties on all who might dare to exerciſe their native rights, privileges, and liberty, nor with all that egregious exceſs of power which had been already granted; they ſtill remained inſatiable, whilſt the lives of their fellow-ſubjects were unſubmitted to their abominable tribunals and luſt of dominion: for this they petitioned, and obtained it.

In conſequence of this petition, the following powers which are ſtiled *reaſonable* in the charter, were granted to that Company; bodies politic and corporate were eſtabliſhed at the ſeveral factories, 'conſiſting of a 'Mayor and nine Aldermen; ſeven of theſe were to 'be the natural born ſubjects of the Crown, and two 'might be of any other nation upon earth in amity 'with Great Britain, together with a Sheriff. The 'firſt ſet was nominated by the charter, the Mayor 'and Sheriff were to be annually elected from among 'the

'the Aldermen: theſe were for life, with power of 'chuſing from among the inhabitants of the factories, 'others, who ſhould ſucceed, on the demiſe of any 'of that body.' But this permanency of poſt was oddly circumſtanced. 'Notwithſtanding their being 'appointed for *life*, they were *amoveable* by the Go-'vernor and Council, with the liberty of appeal, in-'deed, to King and Council, after having firſt given 'ſecurity to pay the coſts, if the ſentences were af-'firmed.'

In this manner thoſe officers, who were appointed for life, were in fact at the mercy and diſmiſſion of the ſeveral Councils, whenever the latter ſhould think it adviſeable to remove them, and the liberty of appeal was perfectly illuſive; for ſuppoſing the ſentence to be reverſed by the King and Council, theſe magiſtrates could never return to their corporations without permiſſion from the Company. They were, by law, interdicted not only from trading, but even breathing in that country, without licence from the Company, and this law could not be ſuperſeded by charter. Who, among men in ſearch of riches, dependent on the will of the Company, would dare to act in favour of right and juſtice, when they were in oppoſition to the intentions and intereſt of the Company? Or who would appeal to the King and Council, at the riſque of paying coſts, when on being reinſtated, they were reſcinded from returning to their reſpective offices and commercial exerciſe, without permiſſion of that Company, whom this appeal from the ſentence of their Councils muſt neceſſarily have offended? Theſe men were, therefore, as abſolutely in the hands of the Eaſt-India Directors, as the love of money, and the dread of being deprived of all farther acquiring it in India, could place them; and to what an enormous degree of ſervile obedience to the arbitrary commands of thoſe who are the maſters of their fortunes mankind will daſtardly ſubmit, is

too

too well evinced by the ſhameful practice of all ranks, and the repeated experience of every hour.

This body corporate were a court to try, hear, and determine all civil ſuits, actions, and pleas, between party and party, within the factories or parts ſubjected to them reſpectively, without either a Jury, or even a Recorder, who had he been a Barriſter at Law, as in the corporations of England, might direct them to legal determinations in their execution of juſtice.

From the decrees of this court, however, there lay an appeal to the Governor, or Preſident and Council, any three of whom, the Governor or Preſident being one, are permitted finally to determine every cauſe in which the value ſued for does not exceed a thouſand pagodas; and from all their deciſions, in cauſes above that ſum, they had the farther appeal to King and Council, upon ſecurity given of paying eight per cent. for the value adjudged, from the time of adjudging, and coſts of ſuit.

Whatever may be the exterior appearance of this right of appeal from magiſtrates and aldermen, to governors and councils, and from thence to King and council, it is evident, that appeals from the governor and council to the King and council muſt very ſeldom happen. He that appealed, would be no longer permitted to reſide in thoſe factories; the gentlemen, his judges, would certainly act as if they were infallible, and ſuffer no rebels to their juſtice to confront them in their places of command. To appeal for right in England was to loſe the power of getting riches in Aſia; the former was only caſual, the latter certain; few appeals, for that reaſon, could come to England; and then they were not appeals to the laws of England, but to the determination of a Prime Miniſter, who, at that time, was not of ſo incorruptible a nature, as to have oppoſed the faſcinating power of gold from the hands of a Director. In fact, by the bye-laws which they had the power of making, by

the Judges whom they appointed, who were abſolutely in their hands, and who carried thoſe laws into execution, and by the perſons who loſt their cauſes, being excluded from appealing to the courts in Weſtminſter-hall, the property of every Engliſhman in all the factories was abſolutely in the hands of the governors and council in thoſe places; and thoſe governors and thoſe councils being at the diſpoſal of the Company, every thing poſſeſſed by all thoſe who were not of the council, in all the factories in Aſia, lay at the mercy of four-and-twenty tyrants, and their ſuperior ſervants.

Beſides the preceding court for the trying of civil cauſes, there was yet another erected for the judging thoſe of a criminal kind. 'The governor, or preſi-'dent, and the five ſenior of the council, were em-'powered to hold quarter-ſeſſions, to be a court of 'record, of oyer and terminer and goal delivery, for 'the trying and puniſhing all offences (high treaſon 'excepted) together with a grand and petit jury, as 'in England.' But as the judges, the ſheriff, and both juries were exactly in the ſame predicament with the mayor and aldermen, dependant on the will of the Eaſt-India Company, as the laws by which the offenders were tried, were ſuch as the Company either made or approved, it follows that the lives, as well as the properties of all the ſubjects of Great Britain in the Company's ſervice, were alſo in the hands of the ſaid four-and-twenty tyrants.

Such were the powers for which this modeſt oligarchy ſo *humbly* petitioned, and which were graciouſly granted. The lives, liberties, and properties of their fellow-ſubjects might now be thought to have been ſufficiently committed to their hands, and their tyranny eſtabliſhed: but they were yet unſatisfied; for ſomething ſtill remained, which would perfectly complete their deſpotiſm; they therefore, with *like humility*, petitioned, 'to name and appoint all gene-

'rals,

'rals, by land and ſea, as many officers, and what
'number of troops and fleets they pleaſed, and to
'remove them all at their pleaſure; to train the in-
'habitants to arms, and to exerciſe thoſe forces for
'their eſpecial defence and ſafety, and to lead and
'conduct them to encounter, repulſe, expel, and re-
'ſiſt, by force of arms; to kill, ſlay, and deſtroy all
'perſons, who, in a hoſtile manner, may attempt
'and enterprize the deſtruction, invaſion, detriment
'or annoyance, of any ſubjects or perſons dealing
'with the Company or their ſervants, &c. and *upon*
'*juſt cauſes*, to invade and deſtroy the enemies of the
'Company; and in time of war, to uſe and exerciſe
'martial law and diſcipline, in ſuch caſes as occaſion
'ſhall neceſſarily require, and may *legally* be done.
'The governors and councils to make bye-laws, rules,
'and ordinances for the government of the places,
'&c. and to impoſe reaſonable pains and penalties;
'but none of theſe bye-laws, &c. were to be carried
'into execution, until they are approved by the
'Company.'

Such was the charter granted by King George the Firſt, by far the moſt enormous ſtride of royal prerogative beyond its legal bounds, which had been taken by any Sovereign ſince the eſtabliſhment of the Eaſt-India Company by act of parliament. The lives, liberties, and properties of all Engliſh ſubjects in Aſia were now ſubjected to the arbitrary inclinations of four-and-twenty tyrants: for what can be more deſpotic in its nature and formation, than the power of making laws, in whatever manner, and with whatever penalties they pleaſed; the appointing ſuch judges who were all but compelled by torture, to determine as this Company ſhould think fit, and to ſubject both the land and naval forces to military laws, which might make thoſe actions criminal, and to be puniſhed with corporal infliction, impriſonment, or death, which, in the common intercourſe of men, and

by the laws of England, were ſcarcely cognizable. This acquiſition, therefore, amply completed all that the heart of man could deſire, or his hand could execute.

If the Kings of England poſſeſs this prerogative of transferring to their ſubjects the rights of *more* than their own ſovereignty, it is ridiculous and untrue to pronounce that Engliſhmen are free, and that their Kings can neither *ſuſpend* nor *diſpenſe with* the laws of the realm. Can Princes impart to Corporations the right of impowering their ſervants, in *their name*, and *under their common ſeal*, to exerciſe ſuch arbitrary acts over their fellow-ſubjects, as are acknowledged, by the conſtitution and the laws, to be illegal in the King himſelf? Will thoſe gentlemen, who, in the laſt Parliament, diſapproved, in his preſent Majeſty, the conſtitutional and juſt exerciſe of his prerogative, when, by his merciful proclamation prohibiting the exportation of corn, he ſaved his people from famine, approve of that prerogative exerted by his great-grandfather, which granted the powers of life and death, liberty and property, to an oligarchy of their fellow-ſubjects? If it was neceſſary to indemnify by law the Council which adviſed the prohibition of exporting corn, will they ſupport the actions of that Company who preſumed to petition, and who have conducted themſelves in conſequence of ſuch grants, and pronounce it lawful? Every act of hoſtility and rapine committed on the native Aſiatics, in conſequence of this charter, notwithſtanding the grants of Kings, thoſe of ſelf-defence excepted, are by the laws of England acts of piracy; and every man of them ſlain in battle, or of Britiſh ſubjects put to death by military law, are acts of murder. And I am fully perſuaded, that whoever ſhould proſecute in England the perſon who condemned ſuch men to death in Aſia, would find that the ſame ſentence they illegally pronounced on others, in lands remote, would be juſtly given

given againſt them in this country; for to the honour of this realm, the Judges of the law remain untainted with any juſt cauſe of culpable imputation, amidſt that corruption which has ſo flagrantly prevailed in the legiſlature of preceding Parliaments. But this indeed is one indication, among others, which Monteſquieu has aſſigned as demonſtratives of liberty loſt in that nation wherever it is found. In the granting this charter, nothing can, with juſtice, be imputed to the Sovereign who then reigned in theſe realms. He aſcended that royal ſeat in an advanced age, a ſtranger to our language, unknowing in the conſtitution, unacquainted with the nature and the legal claims of the Eaſt-India Company, and what was yet more fatal, he implicitly liſtened to the advice of that Miniſter, who was ſo ſignally formed by nature and by habitude to be the deſtroyer of his country.

No man has ever exiſted, who was more audacious and enterprizing to ſubvert the conſtitution and enſlave the people: and this he effected by the moſt deteſtable of all iniquitous methods, by Acts of Parliament. He planned and procured the Riot Act; that Act, by which the Commons, by their own votes, and without the conſent of the people, extended a triennial to a ſeptennial Parliament; the moſt flagrant violence on the conſtitution which has been committed ſince the days of the Long Parliament, in the reign of Charles the Firſt; he obtained the Acts which encreaſed the Standing Army: he eſtabliſhed the Military Law, in the ſtatute againſt Mutiny and Deſertion; and *he*, in fact, granted this bloody charter to the Eaſt India Company. Innumerable are the tranſactions by which he attempted the ruin of his country; and yet, amidſt this boldneſs and effrontery in ſubjecting his fellow-citizens to ſuch indignities, he was as puſillanimous as a hare in oppoſing her inveterate enemies. To the French he granted as indulgently through fear all which they required for the aggrandizing

grandizing themſelves and humbling England, as he inſolently perpetrated whatever he intended againſt the welfare of the nation. He knew that, enveloped in Acts of Parliament, he perfectly ſecured himſelf from every purſuit, on the account of that miſchief which thoſe contained; but he dreaded the conduct of a war by which he muſt lay himſelf open to defeat, and to national enquiry. This conduct he purſued through a long and baneful adminiſtration; and he ſupported himſelf by ſpreading corruption through a profligate majority of ſucceeding Commons. With powers to diſcharge the national debt, he conſumed that money in German ſubſidies and private extravagance, and left the kingdom as much indebted as he found it. At length, by a ſingular exertion of the Houſe of Commons, he was driven from his power; his actions were colluſively examined by a Secret Committee, which by arts and pecuniary influence he rendered ineffectual, and then exclaimed againſt the ingratitude of thoſe who would not ſerve him without being bribed, though he had conſumed his whole life in ſpeech and practice, to reduce all mankind to that ſtate of degeneracy and corruption, as if men would prove faithful to their corruptor, whom he had educated to be faithleſs to their charge and to rob their country. Deteſted by the nation for the innumerable miſchiefs which he effected, he was ennobled by his King, as the reward of merit, and died in his bed, as if he had lived a deſerving ſubject and an upright miniſter.

Such are the faint and evaneſcent outlines of his character; and yet, ſtrange to relate! he was ſucceeded by others whom he had trained to miſchief, of leſs underſtanding, but of equal iniquity; who purſuing his ſteps have reduced the kingdom to her preſent ſtate of impotency, and from which it never can be relieved, but by applying the revenues of Aſiatic lands to national purpoſes, and to which it ſhall be proved the community have an irrefragable right.

NUMBER

NUMBER XV.

Jan. 9, 1768.

GEORGE the Second having aſcended the Throne of Great Britain, the Eaſt India Company, in the third year of his reign, obtained an act in their favour, by means of having paid into the Exchequer two hundred thouſand pounds, for which they were neither to receive intereſt nor re-payment. By this act, among various other indulgencies, which are not neceſſary to be related, the day of redeeming the charter, by repaying the capital, and on three years notice, was protracted to the 25th of March, 1766.

And by another act, in the 17th year of his reign, the Company having agreed to advance 1,000,000 l. for the expence of the ſtate, on an annuity of three per cent. the date of the charter was extended fourteen years, to 1780; at that time it is to ceaſe, repayment being made to the Company of four millions two hundred thouſand pounds, and all arrears; three years being ſtill given for the bringing their effects from India to this kingdom.

By both theſe ſtatutes they were entitled "to have, "hold, and enjoy, all thoſe rights, privileges, &c. "which, by former acts of parliament, or by any "charter *founded thereupon* had been granted; and "they were ſubject to ſuch *reſtrictions and covenants* "as are contained in the *ſaid acts and letters patent* "*now in force.*"

Hence it uncontrovertibly appears, that all pretenſions to the exerciſe of any powers conveyed by charter, antecedent to the firſt act on which this Company was founded in the reign of King William, are abſolutely without the leaſt foundation. The Company had, indeed, entered into expreſs covenant with Queen Ann to that purpoſe, and the legiſlature

giſlature did now eſtabliſh it. By theſe means, as that oligarchy received a freſh ſtrength to their enormous powers on one hand, they were reſcinded from every exceſs of them on the other, by being ſubjected to all the *reſtrictions and covenants* which are mentioned in the ſtatutes and charters already related.

In whatever inſtances therefore this Company ſhall be found to have extended their arbitrary proceedings beyond the limits preſcribed in thoſe acts and charters, and ſuch as have been ſince that time granted, they are to be conſidered as national criminals, and are undoubtedly the juſteſt objects of parliamentary enquiry, and of condign puniſhment; for certainly the inquiſitorial power of a free ſtate can at no time be more righteouſly exerted, than in diſcovering the violations of a ſet of tyrants, who, by methods more eaſily ſuggeſted than preciſely to be deſcribed, have found the means of enſlaving their fellow ſubjects by acts of legiſlature, and of uſurping to themſelves all thoſe powers, which, *divided* between the Sovereign and the People in the conſtitution of England, make it a free ſtate, and which, in them *united*, exerts an oligarchy of four-and-twenty tyrants. Abſolute and unlimited as the grants muſt appear, yet inſtances ſhall be adduced of the Company's having extended their powers to acts unwarranted even by theſe iniquitouſly extenſive laws and charters; and when ſuch proofs are brought, the nature, the illegality, and the inſolence of them explained, it will then remain with the ſervants of the people, in parliament, to do juſtice to the nation and themſelves.

The protracting the day of redeeming the charter from the hands of the Company to 1780, is that which chiefly deſerves the public attention in theſe acts of parliament; and it is on this clauſe the Company have chiefly founded their audaciouſneſs and con-

contempt of government, both legiſlative and executive; "We have this term (ſay they) by Parliament, and that cannot be taken from us: and to "that we defy them." But, by the leave of theſe Sovereigns, or without their leave, they are abſolutely miſtaken; this power of redemption, on the preceding terms, is as *conſtitutionally* to be exerted whenever the Parliament ſhall think fit, as if that *circumſtance* had been ſpecifically expreſſed in the act.

For, could the Parliament grant a power which they cannot abrogate for fourteen years, or any time ſpecified, they poſſeſs only an authority to ruin, and not to ſave the kingdom. In every ſtatute, however definite and expreſs the conditions, rights, privileges, and duration of them are enacted, there is nevertheleſs virtually remaining an authority in the legiſlature to repeal that act at what moment they pleaſe, provided the public welfare requires it. And this, on no other conſideration than that it is the public welfare which demands that repeal; the very exiſtence of ſocial community and eſtabliſhed polity conſiſts in this fundamental principle, that the national welfare ſhall at all times ſuperſede the claims of individuals and of bodies corporate, whenever that end cannot be otherwiſe attained. And certainly, when this end is only propoſed by anticipating the date of redemption, and which continued to the time ſpecified in the act, would ſubvert the ſtate; the denying that right is a poſition too abſurd and iniquitous to be uttered or ſupported, but by men who are faſcinated by the enchantments of power, ſeduced by the charms of bribery and corruption, or animated by revenge and diſmiſſion, to involve their country in every poſſible calamity, rather than to ſee her felicity re-eſtabliſhed, and her powers reſtored by the hands and adminiſtration of others.

If this act be not repealed, it is not through the want of constitutional and just authority; there must be other motives. Let it be imagined that the legislative powers had granted to any body corporate, for twenty years, the exclusive right of searching for coals within five miles of London, every way round it; and that, for this act, that corporation had paid into the Exchequer two hundred thousand pounds. Let it be farther supposed, that coals were found so near to this city, and that the strata, and other indications which are well known to miners, evinced, that in working them they must necessarily undermine the city, and that one half of it would be thereby destroyed, within the duration enacted by the parliament. Is there any man so mad or so wicked to say, that the legislative power have no right to repeal that act, because they granted it at a time when this effect was unforeseen? And yet I am persuaded the twenty-four Directors of such coal mines would have the impudence to dispute their title with the Parliament, and roar against all violation of private property, though it is demonstrable that such property can never be legally granted, and that no Englishman, nor body corporate, can have a private property either in trade or other objects, by grants or statutes, which rescind the rights, liberties, and privileges of their fellow subjects, who, by the constitution, are equally entitled to them with such bodies corporate; much less can they legally possess them, when, by such acts, their tyranny must inevitably prove the subversion of the state itself.

It is the hackneyed and corrupt assertion of Directors and their slaves, that there is not the least necessity of redeeming the charter at present; because there cannot possibly arise any danger to the state, or injury to the subjects, from the continuation of it till 1780. This is certainly a most notorious fallacy, as it shall be proved; and were it as true as it is false, the wresting from their hands the despotic

powers

powers which they now exercife, will be ten thoufand times more than fufficient reafon for the putting an end to fuch tyranny, and the reftoring right and liberty to the people.

There is not a man of common fenfe who will deny that a hundred thoufand men in arms, under the command of the four-and-twenty tyrants, could drive the King from the throne, cut off the heads of the Lords, and hang the Commons, if they pleafed to command it; and if money will as certainly raife that force, and effect that purpofe, as any thing, by the experience of all ages, can be effected, what is the fuffering fuch immenfe fums to fall into the hands of Directors, lefs than raifing armies, furnifhing them with military diftinction, and planting daggers in the bofoms of all the loyal and good fubjects of thefe realms?

That Parliaments have been once corrupted by an Eaft India Company, has been proved beyond contradiction; that this corruption has been frequently repeated, is believed by all men of the leaft difcernment; that it may again exert that fatal fafcination in future Parliaments is a fair deduction; the hopes of England are therefore on the prefent; and certainly the reprefentatives of the people, who are fo truly fenfible of the burthens of the prefent taxes, the oppreffions on trade, the fufferings of the laborious, honeft, and indigent, and the impotence to which this nation is reduced by thefe evils, will pay a due attention to the nation, to themfelves, and their pofterity; and not forego the means of alleviating all thofe diftreffes by the revenues of thofe Afiatic lands which Englifhmen have acquired, and the oligarchs prefume to detain.

Let it be fuppofed, that any ancient ftate had granted to a body corporate the exclufive right of importing for twenty years a certain vegetable, which, upon being tafted, created fuch a defire of poffeffing

more of it, that no means hitherto difcovered, could preclude the application of all poffible endeavours to acquire it; that the effects of this production were fuch as would make men fpeak what the givers of it commanded, and take arms to deftroy all thofe who fhould prefume to oppofe their luft of dominion; would the legiflature of England entruft to four-and-twenty of the fubjects, the right of giving fuch an omnipotent production to whom they pleafed, and for what purpofes they might approve? Or had it been inadvertently granted, and not repealed when quantities fufficient were in the Company's hands to effectuate thefe ends on numbers fufficient to deftroy all that is valuable to man, would not fuch reprefentatives be juftly deemed the enemies of their country and of human kind?

Gold, by the undeviating experience of all ages, has uniformly had that effect, and ruined every ftate into which it hath entered with excefs, in fingle men or fmall numbers of the community; in all inftances it hath erected tyrannies in various fhapes of monarchy or oligarchy. No law of matter is more certain than this effect of money on the minds and actions of mankind, not that of gravitation even. To ftand unconcerned and inactive in this fituation, is as indefenfible as to remain under an immenfe weight, which is held over your heads by enemies, and to believe they will not let it fall, or if they do, that the weight will not deftroy you. And the underftanding of that nation is fhamefully reduced, or their hearts moft flagrantly corrupted, if fuch imminent dangers are permitted to remain by the guardians of the people, in the hands of Eaft India Directors.

The late acquifition of the Myfone Country, and Balagat Carnatic, will produce an annual revenue of two millions at leaft. That fum added to the former conquefts, make an income of four millions a year; the furplus of all expences after the fupporting the fleets,

fleets, armies, and other occaſions of the Company, will certainly not exceed the annual revenue of Great Britain, which is applied to the exigencies of ſtate in every year of peace. The nation, to maintain her fleets, armies, and other national demands, raiſes within this kingdom, by a land-tax 1,500,000 l. by malt 750,000 l. in all 2,250,000 l. If the Company can be ſuppoſed to expend ſo much in their military and other affairs, there ſtill remains one million ſeven hundred and fifty thouſand pounds, to be applied to all the iniquitous purpoſes that ambition can dictate and deſpotiſm acquire; and where is now the virtue and the reſolution to withſtand ſuch powers which at once compel and ſeduce all thoſe againſt whom it is directed? If the revenues of India be permitted to remain in their hands another year, the rights of ſovereignty and the rights of the people cannot be reaſonably valued at the price of one ſhilling, unleſs indeed the multitude, ſtung by their miſeries and ill treatment, ſhould ſeek from Heaven and their own native powers that redreſs which may be denied them, and vindicate their ſovereign and themſelves; but the prevention of bloodſhed, and the reſtoration of right, will be the undoubted care of thoſe whoſe indiſpenſable duty it is to attend to ſuch important ſervices.

I am now come to the moſt ſignal, unconſtitutional, and tyrannic act that ever had an affirmative from the votes of the Houſe of Commons: this paſſed in the twenty-ſecond year of the reign of King George the Second. By this ſtatute, all that barbarous and inhuman power of exerciſing military law, which was granted by bye-charter by King George the Firſt, was now eſtabliſhed by an act of the legiſlature. No other terms that are known by me in any language, muſt be found to expreſs, with due energy, the horrors of this tranſaction, and the execration which is due to thoſe repreſentatives of the people who ſuffered it to

paſs;

pafs; for that reafon I leave it to the honeft fenfations of all mankind, and may they never be at eafe till it is abrogated. The fubjects of a fovereign to be entrufted with fuch fanguinary powers over the lives, limbs, and liberties of their fellow fubjects, and to delegate that power in their own name to their fervants, and the Commons of England to fanctify that power, is facrilege by law eftablifhed; and nothing lefs than infinite mercy can forgive that crime.

This infamous bill paffed not unoppofed by many in the Houfe of Commons. One nobleman, now an honour to the peerage, and who at that time truly reprefented his country, exerted his fuperior talents againft that bill in defence of his fellow fubjects and the rights of human kind. He proved, by argument unanfwerable, that it was both unjuft, cruel, and unconftitutional; he predicted the bloody effects which have fince verified that prediction; he refuted every word which was offered in its favour; but demonftration had, at that time, no proof. The refolution of erecting a military government, which then was the object of *one man*, prevailed over the energy of reafon and eloquence; for bribery and corruption had blinded the underftandings, and blunted the fenfations of a majority of that Houfe. The tyranny of four-and-twenty oligarchs was eftablifhed, and the enflavement of every Briton, who entered into their fervice, was abfolutely accomplifhed.

If the fervants of the people in parliament are conftitutionally invefted with the powers of erecting twenty-four of their fellow fubjects into tyrants, and fubjecting all the reft to be their flaves, this conftitution is, of all others, the moft deteftable, and every thinking man will exchange his vifion of Liberty for that which is denominated Slavery in Turky. In that empire, *one man* is the fovereign, and all his fubjects on the fame level of equality: even thofe monarchs have fuffered death for acts of defpotifm;

and

and at all times the lenity of taxation compenſates for all that we imagine ourſelves to poſſeſs, and do not enjoy. Whatever Vizir, Baſhaw, or other officer dares to invade the rights or violate the property of the ſubjects, the meaneſt Turk has the right of accuſing him to his ſovereign; he will be heard, and the offender puniſhed. None but Miniſters and their ſubordinates dread the Emperor's power; the people are ſecure and happy. In this kingdom ſubjects are erected into tyrants, and the reſt oppreſſed and ſlaves. Life and death, liberty and property, are in the hands of four-and-twenty deſpotes. If Britons yet be men, they will not ſuffer this indignant humiliation. By the Bill of Rights you have the privilege of petitioning Parliament, and you are ſuicides of all that is eſtimable in your ownſelves, and murderers of the rights of men unborn, if you neglect to apply to that juſt reſource. Vindicate the dignity of your King and your own liberties and rights; for know, that in this reign the four-and-twenty oligarchs have received the firſt check to their tyranny, ſince it originally commenced to be; and the people's revenues in Aſia have been applied in ſome degree to their proper purpoſes.

In the firſt year of his Majeſty's reign it was enacted, ' That if any of the ſaid Company's Preſidents or ' councils at their factories, where they are empowered ' to hold Courts of Judicature, ſhall be guilty of ' oppreſſing any of his Majeſty's ſubjects beyond the ' ſeas, within their reſpective juriſdictions or com- ' mands, or ſhall be guilty of any other crime or ' offence, contrary to the laws of England, ſuch ' oppreſſions, crimes, and offences, may be enquired ' of, heard, and determined in his Majeſty's Court ' of King's Bench by good and lawful men; and ' ſuch puniſhments ſhall be inflicted on ſuch offenders ' as are uſually inflicted for offences of the like nature ' committed in England.'

And by another act, 'four hundred thousand 'pounds a year of the Asiatic revenues were applied 'to the service of the state.'

By these acts you have been in part restored to the laws of your country, and your rights have been revived, and some part of your territorial acquisitions have been applied to the national exigencies. This auspicious dawn promises the full restoration of right, liberty, and property; and did the accomplishment of all these depend on your sovereign only, it would be granted with more joy by *him*, than it can be received by *you*; for such is the paternal disposition of your present sovereign.

NUMBER XVI.

Jan. 11. 1769.

THE fleets and forces of the King of Great Britain, in conjunction with those of the East India Company, having recovered the town of Calcutta from the hands of Serajah Dowla, the Nabob of Bengal, on the 5th of February 1757; that Nabob being again defeated, was dethroned and assassinated, and Meer Jaffier, *on the account of his villanies, was raised to the government of Bengal by the British*, as Mr. Dowe, in his late history of Hindostan, truly expresses it. In consequence of this revolution in that province, certain lands were demanded as the fruits of their conquest; and Meer Jaffier, who had betrayed his master, the Nabob, in battle, and had been set up by the Company, being in no situation to deny the English whatever they might ask, ceded those lands to the Company by treaty, which they

they had conquered by arms, and which he was unable to withhold.

The Directors having received intelligence of these successes, were conscious that neither by law nor charter, the lands, plunder, and booty taken by their own forces from their enemies in India, could be legally possessed by the Company. They, therefore, pretended "to be *doubtful* whether such districts of "land and plunder, which might be conquered and "taken by their own forces, upon *any occasion*, either "by land or sea, did not belong to his Majesty."

Such being the basis on which they ground their application to the King, as it is expressed in their petition, they add, as the motive to having their petition granted, "That the expences of carrying on "their wars in defence of their plantations and trade, "are greater than the Company can bear; and therefore these petitioners most humbly pray his Majesty, "that he will be graciously pleased to grant to his petitioners, for their own use, all such plunder, "booty, treasure, &c. which may be taken by any "of his petitioners land or sea-forces from any of his "Majesty's enemies, or from the Indian enemies of "his petitioners. And that his petitioners may hold "and enjoy, subject to his Majesty's right of sovereignty in and over the same, all such fortresses, "districts, and territories within the limits of their "trade, as they have acquired, or may hereafter acquire, from any nation, state, or people, by treaty, "grant, or conquest; with power to restore, give "up, and dispose of the same, as they shall from "time to time see occasion; subject, nevertheless, to "his Majesty's disposition and pleasure, as to such "lands as may be acquired by conquest from the subjects of any European power." The hardiness of this petition is perfectly consentaneous with all the preceding conduct of this Company, though infinitely

 inferior

inferior to that which they have obſerved ſince the preſenting to it.

The petition, ſuch as it is, was preſented to his Majeſty, and from him tranſmitted to the Attorney and Solicitor General, for their opinion on the terms which it contained; and the gentlemen who then filled the preceding places, were the preſent Lord High Chancellor of England, and Mr. Charles Yorke.

On the 24th of December 1757, theſe gentlemen, in their report on the petition, delivered their opinions on the petition, reſpecting the charter which might be granted in conſequence of it. What particularly relates to the capture of ſhips and goods, is not to the preſent purpoſe minutely to enquire; it is ſufficient that a grant of them was approved, under ſpecified reſtrictions; and "that this grant ſhould be confined "to captures made in a *defenſive war*, or during a "ſtate of hoſtility commenced merely for the *pro-* "*tection* of their trade and ſettlements: this (they "ſay) is agreeable to *the terms and intentions of all the* "*charters given to the Company*, by his Majeſty or his "royal predeceſſors, which empower them to make "war in the Eaſt Indies *only*, to recompenſe them- "ſelves for loſſes, or to repel invaders."

Hence it appears, that neither by law nor charter, the Company had at that time the leaſt right to pretend to the grant or privilege of declaring an *offenſive* war; what indulgences they have ſince reſerved, and how far they have obſerved the antecedent reſtriction, will be ſhewn hereafter.

"As to the latter part of the prayer of the peti- "tion, relative to the holding, or retaining fortreſſes "or diſtricts already acquired, or to be acquired by "grant or conqueſt, the Attorney and Solicitor Ge- "neral beg leave to point out ſome diſtinctions upon "it.

"In

"In respect to such places as have been, or shall
" be acquired by treaty or grant from the Mogul,
" or any of the Indian Princes or governments, his
" Majesty's Letters Patent are not necessary; the
" property of the soil vesting in the Company, by
" the Indian grants, subject only to his Majesty's
" right of sovereignty over such settlements, as Eng-
" lish settlements, and over the inhabitants, as Eng-
" lish subjects, who carry with them his Majesty's
" laws, wherever they form colonies, and receive his
" Majesty's protection, by virtue of his Royal Char-
" ters. In respect to such places as have been lately
" acquired, or shall hereafter be acquired, by *con-*
" *quest*, the *property*, as well as the *dominion*, vests
" in his Majesty, by virtue of his known prerogative,
" and consequently, the Company can only derive a
" right to them through his Majesty's grant; but
" they (the Attorney and Solicitor General) submit
" their humble opinion to his Majesty, that it is not
" warranted by *precedent*, nor agreeable to *sound policy*,
" nor to the *tenor of the charters* which have been laid
" before them, to make such a general grant, not
" only of past, but of future contingent conquests
" made upon any power, European or Indian, to *a*
" *trading Company*. If at any time the East India
" Company, in the prosecution of their *just rights*,
" shall chance to acquire a fortress or district, which
" may be convenient for carrying on their trade, and
" is after *ceded* to them *by treaty*, or proper to be
" maintained by force, it is time enough to resort to
" his Majesty for his Royal Grant, whenever the case
" arises.

" At the same time the Attorney and Solicitor
" General do justice to the honourable intentions of
" those who preferred this petition to his Majesty, in
" saying, that as soon as the objections were intimated,
" they (the Directors) readily acquiesced, and expres-

 " sed

" sed themselves much more anxious for the sake of " obtaining a clear rule for the direction of their officers in India; to have their doubts explained, as " to their powers of restoring or surrendering places " conquered; and to know whether the Company is " enabled, by any of their present Charters, to yield " up conquests made on the Indian princes or Governments by treaty, without his Majesty's licence " in every instance, the procuring of which might be " attended with great delay in pressing exigencies. " In answer to this doubt so stated, the Attorney and " Solicitor General are humbly of opinion that the " Royal Charters granted to the Company having repeatedly given them the powers of making peace " as well as war with the Indian Princes or governments, it is incident to the power of making peace " to be enabled to restore conquests, or things taken " in war, otherwise they would have the power of " making peace, without the means of obtaining it. " But, to remove all possible doubts, they think it " will not be improper to explain the powers of " making peace, by a clause to be inserted in the " Letters Patent proposed, enabling them to make " cession of new conquests acquired from any of the " Indian Princes or states, during the late troubles " between the East India Company and the Nabob " of Bengal, or which shall be acquired in time coming.

" This explanation will be agreeable to the plan " of former charters, in which they beg leave to observe to his Majesty, that the general power of " making war is further explained and followed by " particular descriptions of the hostilities which the " Company may exercise against their enemies, but " the power of making peace is not extended by any " such description."

And

And this power of making war was already ascertained by the same gentlemen to be *defensive only, merely for the protection of their trade and settlements.*

On reviewing this petition of the Company, it is manifest that they prayed *only* for such fortresses and districts which had been, or must be acquired by grant or treaty, or, by the conquest of their *own troops and navy*, and not by the victories of his Majesty's forces, in conjunction with those of the Company; and that on this proposition the report distinguishes, with the utmost justice and good sense, that there existed a vast difference between the grants and treaties made *in times of peace*, with the Indian Princes, and *those treaties* which were made consecutive of war and conquest. The lands acquired by the former were vested in the Company, with the *right of sovereignty* in the King; the latter were his Majesty's *property*, as well as *dominion* or *sovereignty*, and could become those of the Company by subsequent grants alone.

If we consider the importance and desire of having this part of the petition to be granted to the Company; the powerful means in the hands of the Directors, to obtain a report conformable to the circumstances of their petition, the known effects which such sinister motives have evidently produced on some members of a former and a late House of Commons; the probability that the Directors would not have neglected a like application and influence on this occasion, and the general corruption of the age, by precedent established; this report does the highest honour to the understanding and integrity of the then Attorney and Solicitor General; for, from a full experience of the practice of those Directors, from the reign of King William to the end of the last parliament, it cannot be doubted but that they were either deterred by the established characters of these gentlemen, from attempting to influence their opinions by

pecuniary

pecuniary perſuaſion; or, that if they did preſume it, that they were rejected with indignation and contempt.

NUMBER XVII.

Jan. 16, 1768.

IN conſequence of the opinion delivered by the Attorney and Solicitor General, as it is tranſcribed into the preceding paper, a warrant was drawn up, approved and ſigned by the then Mr. Pitt, who was Secretary of State, dated the 24th December 1757, directing the Attorney and Solicitor General to draw up a charter, to be granted to the Eaſt India Company in conſequence of their petition, and conformable to the opinion delivered in the report. In relation to thoſe lands which were, or might be acquired from the Indian Princes, by grants or treaties made between theſe Princes and the Company in times of peace, there is nothing ſaid in the charter; "Becauſe "the property of ſuch lands was already veſted in "the Company by the Indian grants, ſubject to the "ſovereignty of the King, on which account his "Majeſty's letters patent were not neceſſary." And with reſpect to the holding and enjoying thoſe lands which were, or might be acquired by treaties or grants after conqueſt, the Directors, who preferred the petition, as ſoon as the preceding objections were intimated by the Attorney and Solicitor General, readily acquieſced in the impropriety of this part of the petition, and expreſſed their anxiety for the obtaining a rule for the direction of their officers in India, as to their powers of reſtoring and ſurrendering places conquered; and to know whether the Company is enabled, by any of their preſent charters, to yield the conqueſts

conquefts made on the Indian Princes, by treaty, without his Majefty's licence in every inftance.

Hence it is manifeft, that though the petition which had been delivered to the King was not withdrawn, and ftill contained the prayer of holding and enjoying the lands acquired by conquefts, yet that thefe Directors, who applied for the grant of all lands fo acquired, had, in fact, given up that part of the petition by acquiefcing with the objections which were intimated by the Attorney and Solicitor General, and defired only to be afcertained, whether the Company were enabled by any charter to yield up any lands which were or might be conquered by their own forces, without the King's licence.

That the Company were not at that time enabled to cede, reftore, or yield up any lands conquered by their troops, is evident, becaufe that power is granted them in this charter, which would have been needlefs had it been antecedently granted; and that they were *denied* the holding or enjoying them by treaty or conqueft, is equally clear, becaufe they had it not at that time, and it has never fince been granted by any charter.

The charter was therefore drawn by the Attorney and Solicitor General, in confequence of the preceding opinions and circumftances already related, with this provifo; "That all wars, hoftilities, and "expeditions fhould be begun, carried on, and com-"pleated by the forces, land or naval, raifed and "paid by the *faid Company alone*." And that in thefe circumftances, "the faid united Company fhall and "may, by treaty of peace, made or to be made be-"tween them, or any of their officers employed in "their behalf, and any of the Indian Princes or go-"vernments, cede, reftore, or difpofe of any for-"treffes, diftricts, or territories acquired by conquefts "from any of the faid Indian Princes or govern-"ments,

" ments, during the late troubles in Bengal, or which
" ſhall be acquired in time coming."

Such was the charter granted in conſequence of the Company's petition, and the report of the Attorney and Solicitor General. By this it is manifeſt, that of all lands acquired, or to be acquired, from the Indian ſtates, either *by grant or treaty*, in times of peace, the ſoil was the property of the Company, and the ſovereignty appertained to the King. But that by *treaties, conſecutive of conqueſts*, all fortreſſes, diſtricts, and territories, ſo acquired or to be acquired, were both the *property*, as well as the *dominion of his Majeſty*; and *this* even when theſe territories were *acquired* by *forces* in the *ſole* pay of the *Eaſt India Company.* With reſpect to ſuch diſtricts, either already conquered or to be conquered, in conjunction with the *Britiſh forces*, the Company did not *preſume to petition* to have even the privilege of *ceding, reſtoring, or diſpoſing of thoſe territories*, much leſs to hold and enjoy them. It is evident alſo, that this power of ceding, reſtoring, and diſpoſing of theſe acquiſitions obtained by the conqueſts of their *own troops*, was granted only, as the report expreſſes it, in order to have the *means* as well as the *power* of making peace; and becauſe the diſtance between Great Britain and Bengal was too great to permit the waiting for the tranſmitting to England thoſe intelligences which were neceſſary, and the receiving ſuch inſtructions as were requiſite for the concluſion of hoſtilities with proper expedition. But with regard to the *holding and enjoying ſuch lands and fortreſſes that were or might be taken by the land or ſea-forces of the Company*, that was abſolutely refuſed: for whatever articles are petitioned for, and not granted in the charter conſecutive of ſuch petition, theſe do actually remain in the ſame ſtate in which they were before the charter was granted. The licence of holding and enjoying the lands, which were or might be ac-

quired

quired by conqueſt, even by their own troops, being omitted in that latter patent, that circumſtance is, in fact, not only a refuſal of that part of their petition, but an interdict to the exerciſe of thoſe powers, and the retaining ſuch lands one moment in the hands of the Eaſt India Company, not by the King alone, but by the laws of the land.

That this is incontrovertible muſt appear from the report of the Attorney and Solicitor General, wherein the grants of ſuch lands were expreſly reſerved to be granted by his Majeſty on future petitions, and whenever ſuch caſes ſhall ariſe. Many ſuch caſes have ſince ariſen, and no charters have hitherto been granted, and probably unaſked for.

Hence it is evident, from the nature of the conſtitution, the right of the prerogative, the letter of the laws, the opinion of the Attorney and Solicitor General, the omiſſion of that requeſt in the charter, and the denial thereby expreſſed, the conſciouſneſs of the Directors, that without ſuch licence granted by his Majeſty, expreſly conveying ſuch powers of holding and enjoying the conquered lands, that the Company could have no right, title, or claim to them, even when they were acquired by the *conqueſts of their own troops.*

Yet ſuch is the pertinacious effrontery of theſe oligarchs; they, nevertheleſs, preſume to with-hold from their lawful ſovereign, not only the *property* of theſe lands which have been conquered by their forces, but the *property* alſo of thoſe territories which were conquered in conjunction, and under the command of his Majeſty's land and naval armaments, in defiance of the King, the conſtitution, and the laws. That theſe lands were acquired by conqueſt, is beyond refutation: the Company themſelves declare it in their petition expreſly in theſe words, "Your "petitioners have acquired from their enemies, the "ſaid Nabobs of Bengal, ſome diſtricts of land," &c.

That a trading Company, (governed by four-and-twenty oligarchs, whoſe whole capital in trade is but 5,200,000 l. for a loan of 4,200,000 l. to the government on national ſecurity, and a parliamentary right of borrowing a greater ſum from the people, after confeſſing they have no right to ſuch territories, petitioning to have them granted, acquieſcing in the impropriety of the grant, and being refuſed by that very power to which they applied alſo for the obtaining a charter to that purpoſe) ſhould ſtill preſume to diſpute the *property* of thoſe lands with that very King from which they prayed to receive them, is an act of effrontery unexampled in the hiſtory of all ages, unleſs in times of open rebellion, when the ſubjects were actually in arms, and had abſolutely thrown off all allegiance to their King, and defied his lawful rule and conſtitutional authority.

Whether the behaviour of the Aſiatic oligarchs be included within the definition of rebellion, I cannot poſitively determine; but as they have at preſent their armies, unconſtitutionally in poſſeſſion of the territorial property of his Majeſty, as they ſtill diſpute his undoubted title to thoſe lands, and claim a right in them inſupportable by law, it is not impoſſible that the ultimate reſource, in ſupport of this audacioufneſs, may be to thoſe very armies. Such being the true ſtate of things, I know of no argument which can evince that this Company *is not* in actual rebellion.

Hardy, rapacious, illegal, and unpardonable as this oppoſition and behaviour of the Company muſt certainly appear to all honeſt and diſintereſted men, there is yet another circumſtance not leſs extraordinary and criminal; it is, that thoſe repreſentatives of the people, whoſe duty it was in the laſt parliament to reſtore to his Majeſty his undoubted property, and to do juſtice to the nation and themſelves, ſhould have ſo long and ſo ſupinely indulged the inſupportable

able and illegal pertinacioufnefs of a trading Company: why did they not wreft the rights, liberties, properties, and commercial privileges of the people from the fangs of thefe tyrants? Why did they not reftore to the moft benignant of Kings his juft rights and properties in Afia, that by the immenfe revenue of four millions, which they will produce, he may accomplifh the ardent defire of relieving his fubjects from oppreffion, and of reinftating his dominions in their antient fplendor and importance?

NUMBER XVIII.

Jan. 17, 1769.

THAT the dominions and the revenues in India, which are at prefent in the hands of the Eaft India Company, are the property of the Crown *alone*, ufurped and illegally withheld, by that Company, from their rightful Sovereign, is, I imagine, effectually proved to the conviction of every individual of common fenfe: unlefs, indeed, it can be fhewn, that thefe territories have been granted to that Company by charter, fubfequent to that which is tranfcribed and referred to in the preceding paper; or that thefe territories have *not* been acquired in confequence of victories obtained by the armies, not only of the Afiatic oligarchs, but of the King of Great Britain. As they ftill perfift in their right of holding and enjoying thefe dominions, let them produce the charters by which they have fince been granted: but fuch grants they confeffedly do not poffefs; or let the legiflature take them from their ufurpation.

That fome parts of thefe territories were acquired by Conqueft, the Company acknowledge in their pe-

 tition.

tition. That these lands, and I believe *all* which they have since obtained, were acquired by conquest, I make no doubt that I shall prove beyond the power of being disproved. In order to effect this conviction by the most full and coercive evidence, I shall delineate the wretched situation to which the Company were reduced, during the last war, in India; the means by which they were extricated and preserved from perdition; and I shall then cite *the very words of the treaties* made between the Company and the Nabobs in India, after the latter were defeated by the English forces.

In the year 1755, Commodore James attacked and took Bencote, a port of great consequence in the dominions of Angria the pirate. This port was kept by the Company, and is still in their hands, under the name of Port Victoria. Will the Company deny that this fortress was acquired by conquest?

In the year 1756, Admiral Watson, with five of his Majesty's ships of war, assisted by the land and naval forces of the Company, totally defeated the forces of Angria, burnt his ships, took his magazines and treasure, and subdued the port of Geriah, the capital of his dominions. It will not be denied that this also was effected by conquest; by a conquest even, which, had the petition of the Company been granted, *as it was not*, could not have entitled that Company to take possession of those fortresses and territories subdued by the King's forces: and yet this indisputable *property* of his *Majesty* is still unlawfully held, by this Company, as if they were the *sole* and indisputable *proprietors*.

The English at Calcutta had committed various enormities against the subjects of the Nabob of Bengal, without any regard paid to the remonstrances and complaints of the Indians by the president of the English factory; and among others, not less atrocious, they had imprisoned a rich merchant, a subject of

of Serajah Dowla. The Nabob, juſtly reſenting this injuſtice, attacked and took Calcutta; and in revenge for the impriſoned merchant, and other outrages by the Engliſh, he threw all the latter, whom he found in that place, into a priſon called the Black Hole. They conſiſted of one hundred and forty-ſix perſons, of which twenty-three only ſurvived the impriſonment of one night.

In conſequence of this event, preparations were made for the retaking that important place; and in the year 1757, Admiral Watſon, with his Majeſty's fleet under his command, cannonaded the batteries, which the Nabob had erected in defence of Calcutta, with ſuch vigour, that they were immediately ſurrendered on the debarkation of the troops. Capt. Smyth alſo in the Bridgewater, and with other forces, reduced the town of Nugiſley, and in revenge for the impriſonment of the Engliſh at Calcutta, he deſtroyed by fire the whole town and magazines which it contained.

Not long after theſe events, Captain Warwick, with a detachment of ſeamen in his Majeſty's ſervice, joined the land forces commanded by Col. Clive; the Nabob, Serajah Dowla, was attacked and defeated. In conſequence of this victory, a treaty was concluded between the Nabob and the Engliſh. In this it was ſtipulated, "that the villages which were "given to the Company by the *King's* (or *Mogul's*) "treaty, but detained by the Subahs (or governors "of them) be allowed to the Company; and that "no impediment or reſtriction be put upon the ze-"mindars [or collectors of the Company's revenues]: "that reſtitution be made the Company of their "factories and ſettlements at Calcutta, Coſſimbuzar, "Dacca, &c. which have been taken from them."

Theſe, and many other articles, not neceſſary to be related, were obtained by this treaty. And then "Admiral Charles Watſon and Col. Clive promiſe, "in

"in behalf of the Engliſh nation and of the Engliſh "Company, that from henceforth all *hoſtilities* ſhall "ceaſe in Bengal; and that the Engliſh will always "remain in *peace* and friendſhip with the Nabob, as "as long as theſe articles are kept in force, and re-"main unviolated."

Will the Company have the face to deny that theſe territories were *acquired by conqueſt*, when the very treaty, by which they pretend to the property of thoſe lands, expreſly declares, that all *hoſtilities ſhall ceaſe*, and *peace be concluded?* And it ſhall be proved in a very little time, that this preſumption of treaty-making *in their own name*, is equally illegal and unwarranted with their inſolence, in diſputing the *property* of the conquered lands with their *Sovereign*. And here it muſt be again remarked, that theſe lands were acquired by the conqueſts of his Majeſty's forces, in conjunction with thoſe of the Company; and therefore *not* within the terms of the petition, had they been *wholly* granted. Notwithſtanding theſe unanſwerable truths, the Company have ſtill the hardineſs to retain and to diſpute the *property* of thoſe territories with their *King*, to whom they have ſworn allegiance: and what is yet more ignominious, they have hitherto been ſupinely permitted to withhold them from the ſervice of the ſtate.

On March the 22d, Chandanagore, the chief ſettlement of the French in Bengal, was reduced by Admiral Watſon and Col. Clive; and all the artillery and other effects fell into their hands.

Notwithſtanding this treaty ſo ſolemnly concluded in the latter end of the month of February, "It was "*ſuſpected* that the Nabob had *hoſtile deſigns*; and "therefore it was reſolved to re-commence the war "againſt him. Meer Jaffier, then one of the Na-"bob's principal officers, promiſed to join with *us*, "upon condition that the government of Bengal "ſhould be conferred upon him after the defeat of

"Serajah

" Serajah Dowla." *Theſe are the words in Mr. Vanſittart's Narrative.*

Can the hiſtory of the univerſe afford a more ignominious and inhuman act than this breach of treaty, commencing hoſtilities, entering into engagements with a traitor to dethrone his ſovereign, and to give his dominions to that rebellious ſervant? Yet were all theſe inſidious reſolutions undertaken and executed, upon the *bare ſuſpicion* of Serajah Dowla's having *deſigns to re-commence hoſtilities.* Was this a *defenſive* war entered into according to the terms and reſtrictions of their charters? Was this war to right and recompence themſelves for injuries received, when there was confeſſedly no injury, nor the leaſt infraction of one article of the treaty pretended even to have been attempted by the Nabob? Is it not an action expreſly forbidden by all the laws of God and man?

As the effect of this execrable breach of faith, and covenant ſtipulated with Meer Jaffier, the traitor, war was undertaken againſt Serajah Dowla; and by the aſſiſtance of ſome ſeamen in his Majeſty's ſervice, commanded by one of their own officers, together with the forces of the Company, commanded by Col. Clive, and aſſiſted by the treaſon and treachery of Meer Jaffier, together with the aid of a good mud-wall, a ſhower of rain which rendered the enemy's artillery unſerviceable, an attack, or rather a march to an eminence, made by Captain Fitzpatrick, without oppoſition, and above all, the cowardice of the Aſiatics, the battle of Plaſſey was won on the 19th of June, not full four months after the concluſion of the preceding treaty. The bloodineſs and difficulty of acquiring this conqueſt is perfectly evinced by the vaſt number of the Company's troops which were ſlain in the field of battle, amounting, on the moſt accurate reſearch, to full *twenty* men, moſt of which were Seapoys.

Let no Briton, henceforth, mention the miseries and inhumanity of their countrymen being confined by Indians in the Black Hole; in which act it is probable there was not the least intention in the Nabob of putting them to death; when such insidious and inhuman deeds, as those above related, have been perpetrated by the sanguinary servants of the East India Company, approved and ratified by the four-and-twenty directorial tyrants.

This victory being won, Colonel Clive marched to Muxadavad, and there placed Meer Jaffier on the throne, and saluted him Subah, or Nabob, of Bengal, Bahar, and Orixa, as the reward of his treason to his Sovereign; and that nothing of that kind might be omitted on that occasion, that treachery was compleated by the murder of Serajah Dowla in secret. All this heinous transaction was entered upon and accomplished on the *mere suspicion of hostile designs* in Serajah Dowla. And yet the *heaven-born General* had solemnly subscribed the following declaration at the conclusion of that treaty which the Company's servants had now violated on suspicion only.

" I, Colonel Clive, Commander of the English " land-forces in Bengal, do solemnly declare, in pre- " sence *of God and our Saviour*, that there is peace be- " tween the Nabob, Serajah Dowla, and the English: " they, the English, *will inviolably adhere* to the ar- " ticles of the treaty made with the Nabob: that as " long as he shall observe *his agreement*, the English " will always look upon *his* enemies as *their* enemies, " and whenever called upon, will grant him all the " assistance in their power." And yet these very English, without the least pretended cause of provocation, concluded an insidious alliance with a traitor, the worst of enemies, deposed his Sovereign and their ally, and placed *that rebel* on the throne of his murdered master.

Auri sacra fames quid non mortalia pectore coges?

NUMBER

NUMBER XIX.

Jan. 18, 1769.

AS the natural consequence of the treason and perfidy perpetrated by the preceding transactions, a treaty was concluded between the exalted traitor and the heaven-born General, accompanied by the Admiral, Governor Drake, and Mr. Watts. As Mr. Vansittart has placed the conclusion of this alliance, after the enthroning the new Nabob, I have followed him; but as he has not mentioned the additional article included in this paper, I am persuaded that these were the terms which had been stipulated when the servants of the Company first agreed with Meer Jaffier to assist his treason, and depose *his* master and *their* unoffending ally. The subsequent articles form a part of that treaty:

"That the enemies of the English were the enemies of the Nabob, whether they be Indians or Europeans.

"All the factories and effects belonging to the French in Bengal were to remain in the possession of the English, nor were they ever to be allowed any more to settle in the three provinces.

"Recompence, in express sums, was agreed on to be paid by the Nabob for the plunder of Calcutta; and for the charges occasioned by the maintenance of the forces, he bound himself to give one crore of rupees." Has the government ever received one shilling for that part of the expence which was incurred by the King's fleet and forces engaged in this affair? "Within the ditch which surrounds the borders of Calcutta, are tracts of land belonging to several zemindars (or persons who hold tracts of

" land immediately of the government, on condition " of paying the rents of them). Besides this, he " granted the English Company six hundred yards " without the ditch.

" All the lands lying south of Calcutta, as far as " Culpee, shall be under the zemindary (the lands " held by the tenure of paying the rents) of the Eng- " lish Company, and all the officers of those parts " shall be under their jurisdiction.

" Whenever I, Meer Jaffier, demand the assistance " of the English, I will be at the charge of the " maintenance of them.

" As soon as I, Meer Jaffier, shall be established " in the government of the three provinces, the " aforesaid sums shall be faithfully paid."

And then as an additional article, " On condition " that Meer Jaffier shall solemnly ratify, confirm by " oath, and execute all the above articles, which the " underwritten, on behalf of the honourable East " India Company, do; declaring on the Holy Gos- " pels, and before God, that we will assist Meer " Jaffier with all our forces to obtain the Subahship " of the provinces of Bengal, Bahar, and Orissa: " and further, that we will assist him to the utmost " against all his enemies whatever, as soon as he calls " upon us for that end, provided that he, on his " coming to be Nabob, shall fulfil the aforesaid ar- " ticles."

From the latter part of this article, is it not more than probable that this treaty was entered into before the defeat of Serajah Dowla? The day on which it was concluded is not inserted in the paper from whence I have transcribed the preceding passage, though it is said to be in the month of June 1757; but whether it was before the battle, or so soon after it, that the provinces were not then under the dominion of Meer Jaffier, it is self-evident that these lands were acquired

by

by conqueſt; and moſt probably it was ſtipulated before the battle that they ſhould be acquired by conqueſt. This is a truth too coercive to be reſiſted; and in this victory, alſo, I muſt add, that his Majeſty's forces being engaged, the *property* alſo of theſe lands is the King's, for the reaſons already ſo repeatedly aſſigned.

By this treaty Meer Jaffier was now to be ſupported againſt all his enemies whatever, and the provinces of Bengal, Bahar, and Oriſſa, to be preſerved to him; and thus the ſubſcribers in behalf of the Company, who had aſſiſted Meer Jaffier to dethrone and murder his immediate Sovereign, now entered into an alliance with him to ſupport his rebellion againſt the Mogul, to whom, by the conſtitution of Indoſtan, he was, as Nabob, a ſubject, and could not lawfully hold thoſe provinces, nor exerciſe the powers of the Subahſhip without firſt receiving an authority from the Mogul. And from theſe tranſactions it appears, that, to the obſervation of Mr. Dow, it may be juſtly added, that Meer Jaffier was raiſed to the government of Bengal by the villanies of the Engliſh.

For this horrible tranſaction Col. Clive was rewarded with a jaghire, which produces an annual revenue of thirty thouſand pounds. Let him *enjoy* it if he can!

By ſubſequent agreements in the ſame and the preceding year, and as conſecutive of that being accompliſhed which had been ſtipulated in the treaty, the lands were ſpecifically mentioned which the Nabob granted; among theſe were the ſalt-petre lands in the whole province of Bahar.

The power of the Eaſt India tyrants being thus reinſtated, ſtrengthened, and extended in Bengal, their affairs were, during this time, reduced to a diſtreſsful ſituation on the Coaſt of Coromandel. Fort St. David's was taken by the French, and Lally,

 the

the French General, had invested Madras. Had this commander succeeded in this enterprize, there can exist no doubt, that all the victories in Bengal would have been totally reversed by forces sent from Pondicherry to those parts: but happily at this time Admiral Pocock arrived with his Majesty's fleet, and Col. Draper with the land-forces; the former prevented the French navy, under the command of Monsieur D'Ache, from effecting any signal service, and by the latter the siege of Madras was raised. These successes, with the subsequent victories, not only re-established the tottering state of the East India Company, but laid that foundation on which alone their vast acquisitions have since been so enormously raised, and without which the four-and-twenty tyrants would scarcely have had existence.

Meer Jaffier was Nabob of Bengal when Mr. Vansittart arrived to take the government of Calcutta in the year 1760. The affairs of that new ally and of the Company were at that time in no very prosperous situation. Many are the instances which are brought by Mr. Vansittart to prove that they were in that state, and to justify his conduct. But, in fact, all these are founded on this sole basis, that the *interest* of the East India Company required the pursuit of those measures which he adopted and established. How far this is to be considered as an adequate justification, my readers will determine.

" The army of Meer Jaffier was then at Patna, in
" rebellion against the Mogul, and he was supported
" by the English according to the conditions of the
" treaty. The troops of the Nabob were all but in
" open rebellion, because they were not paid; and
" they threatened to put the Nabob to death. The
" English army was not in a much better condition:
" the Nabob was unable to pay the field expences
" according to his treaty, and the English treasury at

" Calcutta

"Calcutta was ſo much drained, that it was with "difficulty the current expences could be provided. "The Nabob, however, had aſſigned ſome of his "countries for the payment of the ſums which were "due; and, on the reſtoration of the lands, he had "pledged in the Company's hands a quantity of "jewels, which were accepted. *But as the Company* "*would have ſuffered a conſiderable loſs by their alliance* "*with the Nabob*, and a ſtill more intereſting object "for the Engliſh nation in India, the ſucceſs of the "undertaking againſt Pondicherry, which was then "inveſted, depended, in a great meaſure, on a ſup-"ply of money." Every conſideration, but that of the Company's intereſt, was totally diſregarded.

The ſon of Meer Jaffier, who commanded his army, being killed by lightening, and no other to ſucceed him, the Governor and council of Calcutta determined on the perſon who ſhould undertake the adminiſtration of the Nabob's affairs, and ſucceed him in the Subahſhip of the provinces; and in this manner uſurped that right which does, in reality, belong to the Mogul. In this meaſure the Engliſh had no authority to interfere; but the *intereſt of the Company* bore down every oppoſition, and juſtice was totally unconſidered in the whole tranſaction.

Mr. Vanſittart and the Select Committee were determined to place Coſſim Aly Cawn in the miniſtry of the Nabob's affairs, and to make him his ſucceſſor, This Coſſim had married the only ſurviving legitimate child of Meer Jaffier. And in this reſolution the opinion of Mr. Holwell was followed by the Select Committee. The council were, however, divided in their opinions, though the Committee were not. Mr. Amyatt and Col. Caillaud had written to Meer Jaffier, in favour of his infant grandſon, and that Raja Rejeballah, late Treaſurer to the Nabob's deceaſed ſon, ſhould have the management of affairs during his minority, and the negotiations of each

party were unknown to the other. Such was the ſtate of things when Coſſim Aly Cawn arrived at Calcutta; and as he came with fears and ſuſpicions of the Nabob's diſinclination to him, for the favour already ſhewn him by the Engliſh, it naturally led him to fall in with *any meaſures* which might be propoſed by them, as a means of ſecuring the continuation of the ſame intereſt in his behalf.

By the treaty made with Meer Jaffier, he was to furniſh the Company's forces with a lack of rupees; (about twelve thouſand pounds a month) but as this was not ſufficient, they diſregarded the expreſs conditions of this ſtipulation, and inſiſted upon a larger ſum, and lands to be conveyed to the Company for that purpoſe. Coſſim Aly Cawn, who was now treacherouſly negotiating with the Select Committee, agreed to cede to the Company lands to the yearly amount of fifty lacks of rupees, upon condition of the Engliſh ſecuring his appointment to the vacant offices of the Nabob's deceaſed ſon, the chief adminiſtration of all the affairs of the government under Meer Jaffier, and the ſucceſſion to the Subahſhip after his death. This was, in fact, immediately to become the Nabob of Bengal.

NUMBER XX.

Jan. 19, 1769.

MEER Jaffier, not willing to ſupplant himſelf in his Subahſhip, by ſtipulating the terms required for Coſſim Aly Cawn, nor to be rendered inſignificant during life, agreed to the propoſition, that his grandſon ſhould ſucceed him. After many councils and tranſactions of the Select Committee, it

was

was resolved to conclude a treaty with Cossim Aly Cawn on the following terms.

" 1st. The Nabob, Meer Jaffier, shall continue in " the possession of his dignities, and all affairs shall be " transacted in his name, and a suitable income shall " be allowed for his expences.

" 2d. The deputy government of the Subahship " of Bengal, Azimabad, and Orissa, &c. shall be con- " ferred by his Excellency the Nabob on Cossim Aly " Cawn: he shall be vested with the administration " of all the affairs of the provinces, and after his " Excellency, he shall succeed to the government.

" 3d. Betwixt us and Cossim Aly Cawn a firm " friendship and union is established; his enemies are " our enemies, and his friends are our friends.

" 4th. The Europeans and Seapoys of the English " army shall be ready to assist the Nabob, Cossim Aly " Cawn, in the management of all affairs, and in all " affairs dependant on him they shall exert them- " selves to the utmost of their abilities.

" 5th. For the charges of the Company, and of " the said army, and provisions for the field, &c. the " lands of Bardwan, Midnapoor, and Chittayong, " shall be assigned, and patents for that purpose shall " be written and granted.

" 6th. The Company is to stand to all losses, and " receive all the profits of these three countries, and " we will demand no more than the three assignments " aforesaid.

" 7th. One half of the lime produced at Silhet, " for three years, shall be purchased by the agents of " the Company, from the people of the government, " at the customary rate of that place. The tenants " and inhabitants of that place shall receive no in- " jury.

" 10th. The measures for war or peace with the " Shah Zada, or the Mogul, and raising supplies of " money, and the concluding both these points, shall " be

"be weighed in the balance of reafon; and whatever "is judged expedient fhall be put in execution; and "it fhall be contrived by our joint councils, that he "be removed from this country, nor fuffered to get "any footing in it. Whether there be peace with "the Shah Zada, or not, our agreement with Coffim "Aly Cawn, we will, by the *grace of God*, inviolably "obferve, as long as the Englifh Company's factories "continue in the country." This treaty was figned with the Company's feal, and by Coffim Aly Cawn.

In this deteftable manner the Select Committee, confifting of Meff. Vanfittart, Caillaud, Sumner, Holwell, and M'Gwire, entered, by treaty, into a confpiracy againft their ally, with another abandoned traitor of his Sovereign, and of his father, and in fupport alfo of a rebellion againft the Mogul. It is evident alfo, that though by the firft article of the treaty, Meer Jaffier was to continue in all his dignities; and Coffim Aly Cawn was to be *Deputy Governor*; that the Select Committee had forgotten themfelves by the time they came to the fourth, for he is therein ftiled the *Nabob*; and thus the firft is confeffedly collufive and untrue; and yet all thefe enormities were to be tranfacted by the *grace of God*.

This treaty being concluded, the traitor, Coffim Aly Cawn, fet out for Moorfhedabad, and within two days Mr. Vanfittart and Col. Caillaud followed him, to perfuade the Nabob to comply with thefe oppreffive and indignant terms of his fubject. But the Select Committee concluding that they would be rejected, difpatched after them the powerful arguments of "two complete companies of military, a "company of artillery with four pieces of cannon, "and Capt. Tably's battalion of feapoys; and this "detachment was infidioufly reprefented to the Na- "bob, as defigned to reinforce the army at Patna."

In anfwer to the letter of the Select Committee, acquainting him with what they had refolved, the Governor

Governor replied, " I have great hopes I ſhall be
" able to obtain the propoſed advantages for the
" Company: *obtain them*, indeed, *I will at all events*;
" but I hope, and much wiſh, to get it done with-
" out exerting any force.

" Mr. Vanſittart and Col. Caillaud, upon con-
" verſation with Meer Jaffier, diſcovered that he
" never would conſent, without ſome degree of force,
" to give Coſſim Aly Cawn the means of reſtoring
" order to his affairs;" that is, by a voluntary re-
ſignation of all authority into the hands of his traitor.

" Coſſim Aly Cawn alſo was extremely apprehen-
" ſive that the Nabob, inſtead of entruſting him with
" his affairs, would endeavour to get rid of him."
And this opinion was juſtly founded on the conſciouſ-
neſs of his guilt; it was what he righteouſly deſerved,
what the Nabob ought to have executed, and a million
pities that it was not effected.

It was now determinded to depoſe Meer Jaffier, and
to place in his ſeat the rebel Coſſim Aly Cawn; and
in order to aggravate this reſolution of treaſon and
breach of faith, the deed was to be attended with an
act of ſacrilege, according to the religion of the
Gentoos. " The night which was to conclude the
" Gentoo feaſt, when all the people of that caſt
" would be pretty well fatigued with their cere-
" monies, was preferred before all others for the ex-
" ecution of this deſign; it was determined there-
" fore, that Col. Caillaud, with two companies of
" military, and ſix companies of ſeapoys, ſhould
" croſs the river between three and four in the morn-
" ing; and having joined Coſſim Aly Cawn, and his
" people, march to the Nabob's palace, and ſurround
" it juſt at day-break; and being extremely deſirous
" to prevent any diſturbance and bloodſhed, the Go-
" vernor wrote a letter to the Nabob. Meaſures
" were at the ſame time taken for ſeizing the perſons
" of Koonram, Monelol, and Checon, their intention

"being only to remove thoſe three unworthy Mini-
"ſters, and place Coſſim Aly Cawn in the full ma-
"nagement of all the affairs, in quality of deputy
"and ſucceſſor to the Nabob.

"The neceſſary preparations being made, the Co-
"lonel joined Coſſim Aly Cawn, and marched into the
"court-yard of the palace. The gates of the inner
"court being ſhut, the Colonel formed his men,
"and ſent the Governor's letter to the Nabob, who
"was at firſt in great rage, and long threatened he
"would make what reſiſtance he could, and take his
"fate. At length, after many meſſages, by means
"of Mr. Haſtings and Mr. Luſhington, the Nabob
"finding his perſiſting was to no purpoſe, ſent a meſ-
"ſage to Coſſim Aly Cawn, that he was ready to ſend
"him the ſeals, and all the enſigns of dignity, and
"to order the nobit (or band of muſic, allowed to
"none but Princes) to be ſtruck up in his name,
"provided he would agree to take the whole charge
"of the government upon him, to diſcharge all the
"arrears due to the troops, to pay the uſual revenues
"to the King (or the Mogul) to ſave his life and
"honour, and to give an allowance ſufficient for his
"maintenance. All theſe conditions being agreed
"to, Coſſim Aly Cawn was proclaimed." And thus, inſtead of being *Deputy*, as mentioned in the firſt article of the treaty, he was made *Nabob*, according to the fourth.

In this manner the law of nations, the faith of treaties, the honour of the Engliſh, and the dignities of human kind, were again inſidiouſly violated to depoſe a prince in their alliance, and to place a traitor on his throne. And all this was perpetrated becauſe the Eaſt India Company *would have ſuffered a conſiderable loſs by their alliance with the Nabob.*

Meer Jaffier came to the Colonel, declaring that he depended on him for his life. "Notice was then "ſent to the Governor, and he came immediately.

"The

" The old Nabob met him, and asked him if his " person was safe. The Governor told him, not " only his person was safe, but his government too " if he pleased, of which it was never intended to " deprive him." Meer Jaffier gave no credit to this declaration, for Cossim Aly Cawn was declared Nabob. He said, " that he had no more business at " the city, that he should be in continual danger of " Cossim Aly Cawn, and desired permission to live " at Calcutta. Cossim Aly Cawn was then seated on " the throne, and the Governor and the rest paid him " congratulations in the usual form.

" The advantages to the Company were great " indeed.

" The grants under the great seal of the countries " of Bardwan, Midnapoor, and Chittayong, were " immediately received, as well as that for the lime-" productions at Silhet. A very severe order was " issued, forbidding all the bankers and merchants to " refuse the Calcutta rupees, or to ask any exchange " on them. A supply of money was sent with the " Colonel for the payment of the troops at Patna, " and a present of three or four lacks of rupees, " besides, was expected to be sent down to Calcutta, " to help out the Company in their present occasions, " here and at Madras, and the former balance was to " be paid monthly, according to the old Nabob's " agreement."

Can it be denied that these lands were won by conquest, when the treaty by which they were granted, previous to the deposing of Meer Jaffier, was stipulated on the express terms of acquiring them by arms? and the old Nabob was insidiously reduced by military force in his own palace, to surrender all his power and his dominions into the hands of a rebellious subject, whom the Select Committee had treacherously pledged themselves, by *the grace of God*, to support and enthrone. These lands, therefore, are undeniably

the

the *property* of his Majeſty, according to the expreſs conditions of that very charter by which the four-and-twenty tyrants ſtill dare illegally to retain them.

Meer Jaffier, that very night, ſet out towards Calcutta, where he and his concubines were well received, and maintained at the expence of Coſſim Aly Cawn. And in this manner a revolution was effected, in one inſtance, like that in England: the ſon-in-law and daughter aſcended the throne of the father; and in moſt others like that which had been accompliſhed in the dethroning Serajah Dowla. In this tranſaction, however, there was no bloodſhed nor Nabob murdered; and thoſe were ſolely owing to the non-reſiſtance of Meer Jaffier, *for the Governor had determined to obtain it all events.* This relation is taken from the narrative of Mr. Vanſittart; and by that publication he proves that he was ſolicitous to promote the intereſts of the Company alone, whatever might be the reflections which he might incur for violating the laws of the Almighty and of human kind.

NUMBER XXI.

Jan. 20, 1769.

An Account of the expence and loſs which the nation hath incurred by the Eaſt-India Company, from the year 1698 *to* 1768, *both incluſive, and of what it will ſuffer ſhould the charter be permitted to exiſt till the year* 1780.

BY the ſtatute in 1698, on which the firſt parliamentary charter, and all the ſubſequent are expreſsly founded, there was a duty of five per cent. laid upon all Eaſt-India commodities imported; and which being received at the cuſtoms, was paid to the Company for the ſupport of ambaſſadors, &c. in India. This duty, ſo laid, has been ever ſince that time paid by

	£.	£.
the conſumer, and amounts in 10 years on 2,000,000 l. to		1,000,000
And in 60 years on 3,200,000 l. to ——		9,600,000
Land-forces from 1756 to 1766 —— ——		484,735
Office of Ordnance accounts ——		197,992
Granted by Parliament—		120,000
Navy Office accounts —		2,812,770
For the detachments of the train of artillery in 1754 and 1755 —— —		28,048
200 men per annum, to ſupply recruits for the Company's forces in Aſia, for the firſt 57 years, each man valued at 15 l. per annum: labour and life at 12 years purchaſe ——		2,052,000
2000 men ditto, for 14 years, valued as above —		5,040,000
Expence and loſs to the nation, excluſive of intereſt —		21,335,545

	£.
Expence, &c. brought over	21,335,545

An Account of the accumulated intereſt in the above ſums, according to the intereſts which were paid per cent. and the times in which each ſum was paid.

	£.
Intereſt of 8 per cent. for 10 years on the 5 per cent. duty, paid by the conſumer to the Company, viz. on 100,000 l. for the firſt year, on 200,000 l. for the ſecond, encreaſing 100,000 l. annually, to the 10th year —	440,000
Intereſt for three years on the 1,000,000 l. above mentioned, at 6 per cent. with the ſame intereſt for three years on 160,000 l. annually encreaſing to 480,000 l. in the ſame manner as before —	237,600
Intereſt for 19 years, at 5 per cent. on 1,480,000 l. being the 1,000,000 l. and 480,000 l. above mentioned, with the ſame intereſt for 19 years on 160,000 l. annually encreaſing to 3,040,000 l. in the ſame manner as before	2,926,000
Intereſt for 21 years, at 4 per cent. on 4,520,000 l. being the 1,480,000 l. and 3,040,000 l. mentioned above, with the ſame intereſt for 21 years on 160,000 l. annually encreaſing to 3,360,000 l. in the ſame manner as before	5,275,200

	£.	£.
Expence, &c. brought over		21,335,545
Intereſt for 17 years at 3 per cent. on 7,880,000l. being the 4,520,000l. and 3,360,000l. above mentioned, with the ſame intereſt for 17 years on 160,000l. annually, encreaſing to 2,720,000l. in the ſame manner as before	4,753,200	
Intereſt at 8 per cent. on 36,000l. annually, encreaſing to 684,000l. the value of 200 men yearly for 10 years ——	158,400	
Intereſt at 6 per cent. on 36,000l. annually, encreaſing to 108,000l. the value of 100 men yearly, for three years, with the intereſt on 360,000l. as above-mentioned —— ——	77,760	
Intereſt at 5 per cent. on 36,000l. annually, encreaſing to 684,000l. the value of 200 men yearly for 19 years, with the ſame intereſt on 468,000l. above mentioned	786,600	
Intereſt at 4 per cent. on 36,000l. annually, encreaſing to 756,000l. the value of 200 men yearly for 21 years, with the ſame intereſt on 1,152,000l. being the 684,000l. and 468,000l. mentioned as above for that time —— —	1,300,000	

	£.	£.
Expence, &c. brought over		21,335,545
Intereſt at 3 per cent. on 36,000l. annually, encreaſing to 144,000l. the value of 200 men yearly for 4 years, with the ſame intereſt on 1,908,000l. being the 756,000l. and the 1,152,000l. above mentioned —	239,760	
Intereſt at 3 per cent. on 36,000l. annually, encreaſing to 5,040,000l. the value of 2000 men yearly for 14 years, with the ſame intereſt on 2,052,000l. being the 144,000l. and the 1,908,000l. above mentioned —	1,995,840	
		18,190,680
Expence and loſs already incurred to the nation incluſive of principal and intereſt — — —		39,526,225

		£.
Expence, &c. brought over		39,526,225
The Account continued, ſhould the Company be ſuffered to exiſt to the end of the term granted by charter.		
2000 men annually rated for the 11 years as before — —		3,960,000
3 per cent. duty on 3,100,000 l. annually for ditto — —		1,760,000
Intereſt for 11 years at 3 per cent. on 360,000 l. annually, encreaſing to 3,960,000 l. to the end of the charter —	£. 712,800	
Ditto on 1,760,000 l. rated at the increaſe of 160,000 l. annually —	316,800	
Intereſt on 21,335,544 l. the amount of the expence incurred, without reckoning intereſt to the end of the charter — —	7,940,715	
		8,970,315
This will be the national expence and loſs, ſhould the Company be ſuffered to exiſt till the end of their charter —		54,216,540

Such are the enormous expence and loſs which this nation hath gradually incurred ſince the commencement of this Eaſt-India Company, to the end of the year 1768, and will ſuffer ſhould they be permitted to continue till the expiration of the charter. This grievous oppreſſion, my countrymen, we have born for the ſupport of a trade conſiſting of a capital of 3,200,000 l. only, and which has been dividing at all times 6 per cent. or more, and from the hands of tyrants, excluding their fellow-ſubjects from their un-

doubted rights, liberties, and commercial privileges, exerting arbitrary power, dethroning Princes who had infracted no law of nations or of nature, retaining their Sovereign's indiſputable property, and bidding avowed defiance to the legiſlature.

It is eaſy to be diſcerned, that the preceding account might be greatly encreaſed by juſt charges, by adding intereſt upon intereſt in their method of reckoning. And ſince the labouring ſubjects are the genuine riches of this kingdom, it might be augmented in the number of men, whoſe labour has been loſt to the nation. In ſuch employments every man engaged is a robber of the public weal: wherefore, not only the preceding thouſands, but every individual employed in that commerce is a public loſs; and, in this view, to what would then your expences amount?

The Aſiatic trade has at all times been diſadvantageous to the ſtate; and it would have been a patriotic act, long ſince, to have ſuppreſſed it; but luxury encreaſing with ſuch wide and rapid violence, has rendered the commodities of the Eaſt to be ranked among the neceſſaries of life. And as voluptuouſneſs will know no controul, but find the means for indulging her ſenſuality, thoſe commodities will be procured from other nations, and the evil will nevertheleſs prevail. On this account it has been thought more proper to permit that commerce to be carried on by Engliſh ſubjects, than to receive the like productions at more expence from other maritime ſtates.

But ſhall this tyrannic Company, whoſe produce hath tempted you to a vicious indulgence, be raiſed to Sovereigns by the vices they have created? Shall the oppreſſion we have born, the treaſures we have loſt, the blood we have ſpilt in acquiring dominions in Aſia, be all converted to the aggrandiſement and tyranny of a ſet of men, many of whom, from dirt itſelf, have ſo ſuddenly riſen by fraud, by rapine, and by murder, into the exaltation of princely fortunes, that, aſtoniſhed with their aſcent, their heads are

turned,

turned, and they treat their Sovereign with contempt? Even the riches they have brought to this realm are a curſe to the community. Miſtaking extravagance for liberality, and willing to obliterate the imputation of all kind of criminality by prodigality, they care not at what prices they purchaſe the neceſſaries of life; and thus advancing them on the poor and induſtrious, extend that oppreſſion into England which they exerciſed with ſuch cruelty in India. Are ſuch men the proper repreſentatives of a free people? No: let the nation univerſally enjoy the advantages, which even their vices can produce, and which their courage and their ſufferings deſerve; and wreſt the iron ſceptre from the hands of theſe imperious, low-born oligarchs.

Beſides the preceding articles which are omitted in the account, there is nothing eſtimated for the land and naval forces in the King's ſervice, which have been employed in wars anterior to the laſt. Should all theſe particulars be added to the preceding ſum, to what exceſs would it not amount? But there is already more than ſufficient to excite one univerſal deteſtation againſt theſe inſolent uſurpers; your repreſentatives will not permit theſe audacious ſubjects to diſpute their Sovereign's property with himſelf and the legiſlature: they will not ſuffer ſuch indignities to be ſo confidently offered to themſelves without a juſt reſentment for ſuch unprecedented inſolence. Will they protract the extirpation of the people's oppreſſions, retard the ſalvation of the kingdom, and ratify the uſurpation and power of four-and-twenty tyrants? If they are Britons, they will not forget their country's cauſe, their Sovereign's dignity and right, and their own honour and happineſs.

P. S. To-morrow the account of the vaſt advantages which the Company muſt acquire by retaining the lands, and the injuries which the King and nation muſt ſuffer by permitting them.

NUMBER XXII.

Jan. 21, 1769.

THE account ſtated in the preceding paper is ſuch as cannot be reaſonably objected to, I will now conſider it in a comparative view, which may ſerve to illuſtrate the ſubject.

	£.	£.
The annual intereſt on 39,526,200l. the loſs and expence which the nation hath ſuffered to the preſent time, is ———	1,185,786	
The value of Engliſh and other commodities annually exported — —	780,771	
Deduct the latter from the former, and the intereſt exceeds the exports by —		405,015
Duties on Eaſt India goods annually imported on a medium of 10 years —	538,732	
Deduct the 5 per cent. paid to the Company, for the ſupport of Ambaſſadors, &c. on 3,200,000l. ——	160,000	378,732
Intereſt of expence exceeds the duties by —		807,054

On 4,200,000l. borrowed by government, according to the loſs the nation has already ſuſtained, there is paid upwards of 28 per cent. excluſive of the three per cent. which is paid on the ſum of 4,200,000 l.

Beſides the preceding particulars, the duties paid to government are leſſened by the drawbacks on Eaſt-India goods exported, which cannot be eſtimated, becauſe there is no ſeparate account of them kept at the Cuſtom-Houſe.

A State

A State of the affairs of the Eaſt-India Company, relative to the Aſiatic revenues and commerce.

	£.	£.
The territories, acquired in Bengal, are allowed by the Company to produce annually, free of all expences	1,300,000	
The territories lately acquired in the Myſore and Carnatic countries, will produce a clear 2,000,000 l. annually; but let it be eſtimated at — —	1,700,000	
		3,000,000
The merchandize in foreign and Engliſh commodities, annually exported to the Eaſt-Indies, on a medium of 12 years, as delivered into parliament is —	820,556	
The bullion, on a medium of 3 years before the year 1758, and when the trade was on the old footing —	636,435	
		1,456,991
The preceding ſum of 1,456,991 l. annually exported, paid all the expences of the fleets, armies, factories, and ſervants in the Company's ſervice, both in England and Aſia, and there remained a clear profit on the trade —— ——	400,000	
Since the acquiſition of the Bengal dominions, the revenues of theſe lands have ſupplied the bullion, or will do		

	£.	£.
do it, ſo that there is more exported. That ſum is inveſted in goods in Aſia, and brought home to England, and may be conſidered as clear profits, becauſe it is a clear produce ——	636,435	
The expence of the army being paid by the revenues of Bengal, and 1,300,000 l. of that revenue remaining clear after all expences. By this alteration, the Company not only ſave that charge on their trade, but inveſt that expence in goods alſo: and this, at the loweſt eſtimate is —	450,000	
Hence it appears, that the Company can eaſily inveſt 1,086,435 l. annually in India commodities, which will produce in England, together with the old profits of 400,000 l. to be yearly divided, the ſum of ——		1,486,435
And this ſum of 1,486,435l. will be returned as above, on an export of the merchandize only, which is 820,556l. and that will be the whole capital which is neceſſary to carry on their trade annually for the future.		
Thus the money inveſted in goods, amounting to —	1,086,435	
The clear revenues to —	3,000,000	
The profits according to the old eſtimate —	400,000	
Are —— —— ——		4,486,435

But as the bullion of the Aſiatic revenues is inveſted in the place of the bullion formerly exported, that ſum is to be conſidered as part of the clear revenues, and 636,435 l. is to be deducted from the 4,486,435 l. —	£. 636,435
	3,850,000
From this ſum of 3,850,000 l. deduct the ſums inveſted in India, and brought home to England — —	1,086,435
There will then remain in India —	3,850,000
Should the Company be permitted to continue their trade on the payment of 400,000 l. yearly, that ſum muſt be deducted from the money brought home by inveſtments, and gotten by profits, which being 1,486,435 l. there will then annually ariſe to the Company in England a clear product of — —	1,086,435

The remainder in India of 3,850,000 l. is to be employed as the Company may pleaſe.

The difficulties which at preſent apparently embarraſs the Company in the payment of the 400,000l. are ſuch as have ariſen in part from their miſmanagement, but chiefly from a premeditated deſign, in order to have the pretext of offering objections to the paying any larger ſum to government, and by theſe means to obtain their purſuits on the payment of that ſum for the future. But as all theſe difficulties will be certainly removed as ſoon as they think fit, the power of that removal being in their own hands, their affairs muſt then be eſtabliſhed in the preceding manner.

Such are the loſs and expence which the nation has ſuſtained by the Eaſt-India Company, as ſtated in the